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Reform

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COL: R. DE CLAIRMONT.







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REFORM

An Essay on the Political, Financial,
and Social Condition of the
United States

— SHOWING —

Dangers, Defects, and Remedies

BY COLONEL RALPH DE CLAIRMONT

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PREFACE.

“*MULTUM IN PARVO*” is the opening motto of this book,—an essay on the political, financial and social condition of the United States, showing the dangers that beset this great Republic, the defects of its institutions, and the remedies to be applied. The work is written in an absolutely patriotic spirit, free from prejudice and passion ; the language used is plain and comprehensive for all classes of our immense population, from the haughty banker and so-called merchant prince to the plain artisan and humble day-laborer.

In order to show that the author is competent to handle the great subject developed in this book, and that “he knoweth whereof he writeth,” he begs leave of the kind and indulgent reader to make the following preliminary declaration :

Although of foreign birth the writer came to this country when a boy, became a citizen in 1856, and has resided here ever since, with the exception of several years’ residence and travel in Mexico during the civil strife prior to the advent of Maximilian, and travel in Central America and Europe in 1890 and 1891. He had the honor of being acquainted with and a *protégé* of General Winfield Scott, was present at the inauguration of President Franklin Pierce, at the funerals of Daniel Webster and Henry Clay, and on the night of the 15th of December, 1858, had an interview at the White House with President James Buchanan and General Cass, Secretary of State, in consequence of which a United States Minister was sent to Vera Cruz and recognized the Juarez Government of Mexico, at that time located in the heroic seaport. The

writer has held many positions of honor and trust in the ordinary pursuits of life, as well as in the diplomatic and military service, which enabled him to study and closely observe political, financial and social matters, not only in the United States, but in Mexico, Central America and most European countries.

No names will be given in this book, and no personalities are intended ; if, however, the jacket fits certain parties, we cannot help it, and must do like the celebrated Pontius Pilate. Truth is frequently disagreeable to hear ; yet every one will find something of interest to him in the perusal of our work, no matter what party or station of life he may belong to. We expect to be severely criticized, as a matter of course : such is the lot which befalls all those who have the courage to come forth frankly and fearlessly in the defense of what they consider right ; but we shall not pay any attention to adverse criticism, and simply repeat the great axiom, "*Magna est veritas et semper prevalebit !*" (Great is truth and will always prevail !)

THE AUTHOR.

SAN FRANCISCO, May, 1894.

REFORM.

AN ESSAY ON THE POLITICAL, FINANCIAL AND
SOCIAL CONDITION OF THE
UNITED STATES.

I. CAVEAT PATRIA!

“*BREAKERS AHEAD!*” is the ominous warning cry of the lookout when a white line of foam looms up before the moving craft, indicating the proximity of a lee shore or dangerous rocks. Well might that warning cry strike fear and terror into the hearts of captain, crew and passengers; the danger is appalling! Timely and speedy maneuvers may save the craft: if she be a steamer, a reversal of the engines sometimes averts her doom; a sailing vessel has but small chances. Thus even is it with the “*Ship of State!*”

Ever since human events have been recorded with more or less correctness, history shows us the continued foundation, rise and fall of mighty empires and republics. The destruction by fire of the famous library of Alexandria, which contained the records of the most remote periods in the existence of mankind,—that immense and irreparable disaster has deprived us of the only authentic sources for the study and investigation of the past. Beyond the foundation of Rome, in the year 753 before Christ, history is extremely doubtful and mythical. After the Christian era and the division of the Roman Empire by the Emperor Theodosius toward

the close of the fourth century, history was written and preserved principally by the monks isolated in their monasteries, and the secretaries of the ruling princes, whose versions are not always very reliable. One fact, however, stands out prominent and indisputable. All ancient history converges into that of the Roman republic and empire, and all modern history again radiates therefrom ! This great and all absorbing empire, the like of which had never existed before, nor will probably ever exist again, lasted no less than eleven centuries : it not only attained the highest point of civilization, literature, art, architecture, culture and refinement that has ever been reached, but produced great numbers of the most celebrated legislators, warriors, statesmen, poets and artists. Julius Cæsar alone, the great, the incomparable Cæsar, is sufficient to throw everlasting glory and splendor on Roman history. Such a man had never appeared before, nor probably ever will appear again. The greatest of generals, statesmen and legislators, Cæsar's career was one brilliant success from beginning to end : he never experienced serious defeat ; he rose to the highest pinnacle of power, glory and honor man ever attained ; and when the dagger of fanatical, though patriotic, conspirators terminated his existence, the very purpose they had sought to accomplish was frustrated by the prompt establishment of an empire which lasted no less than five hundred years. The only error Cæsar ever committed was his sojourn of two years in Egypt, the guest of Mrs. Cleopatra Ptolemy, for which, however, he made brilliant atonement very soon after.

It is not our purpose in these limited pages, intended to be a kind of "*Mene, Mene, Tekel, Upharsin!*" to enter into any description of the different republics that have enjoyed a more or less noteworthy existence ;—the turbulent and short-lived Greek republics, the splendid Roman republic, the mercantile republics of Genoa and Venice, even the lilliputian republic of San Marino, we will pass over, and dedicating a few preliminary notices to the Swiss and French republics, now flourishing in their well-deserved prosperity and glory, we will come to the object of this volume,—the great republic of the United States, with a few remarks on our Spanish sister republics of America.

Prominent and superior to all ancient as well as modern democracies stands *Switzerland, the Helvetian Republic!* The writer was present at the celebration of the 600th anniversary of the Swiss Republic on the 2d of August, 1891, at its very cradle, the town of Schwyz, the source and fountain of liberty in Europe even in the dark feudal epoch. That great celebration all over the famous Republic surpasses any similar event we ever witnessed, as regards the unanimous enthusiasm and true, real, unfeigned patriotism which prevailed among the entire Swiss population of about three millions, irrespective of creed, rank, station or condition; and well might they celebrate and be proud of their success. During the six hundred years that elapsed from the conspiracy on the Rütli, in 1291, which resulted in the final overthrow of the Austrian rule and oppression, Switzerland maintained her independence against every invading foe, to the extent of utterly defeating the mighty armies of the Archduke of Austria in 1315, slaying the prince himself and the flower of the Austrian chivalry, and, in 1476, those of the powerful, hitherto unvanquished Duke of Burgundy, Charles the Bold, who was slain and his army annihilated. And so fared all those who came to interfere with the brave and patriotic Swiss nation. All invading armies were repelled, the French excepted, who, under Masséna, defeated the Russians at the battle of Zürich in 1799. Napoleon, however, proposed and concluded an honorable peace immediately, and the two countries became and have remained staunch friends ever since. The Swiss Republic, notwithstanding its victories over all its external enemies, has not been exempt from internecine troubles. On the contrary, civil and religious wars raged there frequently, the inevitable result of the Reformation in the sixteenth century, but the good sense of the people always resulted in renewed tranquillity.

In 1847 dissensions broke out, and a portion of the Cantons formed a separate league, the "*Sonderbund*," which threatened to disrupt the Swiss confederation for the time being. Happily for the country, and we may say for the world at large, this calamity was averted through the noble and patriotic action of the Federal commander, General Dufour, and in 1848 a new constitution was inaugurated, since which period the public

tranquillity has been undisturbed, and peace and harmony have reigned ever since. And how could it be otherwise when, after so many centuries of tests and experiments, the most perfect, equitable and just system of laws and government has been brought about that could procure the happiness, security and prosperity of any country on earth !

One of the reasons Switzerland has been respected by her monarchical neighbors in spite of her republican form of government is that from time immemorial she has afforded a place of refuge for political and religious offenders and exiles of every description, and that she has ever maintained the right of asylum sacred within her territory. Monarchs, princes, democrats, demagogues and anarchists alike are welcome, provided they behave themselves and observe the laws of the great model Republic.

We shall frequently refer to the Swiss Republic during the course of these pages, for the simple reason that in Switzerland everything is good and commendable,—scenery, government, roads, streets, railroads, post, telegraph, police, hotels, and in fact everything else.

The present French Republic is the third and most successful trial of the democratic form of government in one of the most enlightened, fairest and richest countries under the sun. Well is it said even by the hostile German, when speaking of some one enjoying himself to his heart's content anywhere, "He lives like God in France." The many causes of the great prosperity of France are self-evident, but we have neither time nor space to enter into any discussion of these. After one thousand years of monarchy came the great French revolution at the close of the eighteenth century, the child of its precursor, the American revolution, to which we owe the political independence and immense growth of the United States. The first French Republic was not of long duration : the very excesses committed by its founders and adepts, such as Danton, Marat and Robespierre, caused the French people to desire peace, quiet and personal security; and thus it was an easy task for the great Napoleon Bonaparte to first subdue and regulate the distracted Republic, and subsequently to found on its glorious ruins the vast and mighty empire, the

deeds and splendor of which will astonish posterity for centuries to come. Napoleon I. the greatest of men after Caius Julius Cæsar, might have almost equaled his prototype had he not committed a number of fatal errors, the most grievous one being the Russian campaign, in winter too, causing the destruction of his grand army, and depriving him of the immense prestige of uninterrupted brilliant victories. Had he desisted from the impossible conquest of Russia, there would have been no Leipzig, no Waterloo, the grave of European liberty for a hundred years. Robert Hall, the celebrated English philosopher, exclaimed at the time: "When I heard of the result of the battle of Waterloo, it seemed to me as if the clock of the world had gone back for a hundred years!" Events have proved the unfortunate truth of this saying.

The effeminate and incapable Bourbon dynasty was restored to the throne, but it was not many years before the Tenth Charles had to flee and give his place to Louis Philippe, the so-called citizen-king, who in turn fled to England in 1848, when the second French Republic was established. Still the French nation in general was not ripe for a general democracy. The second empire was founded by Napoleon III, the unworthy and pitiful nephew of Napoleon the Great, who was to fall so ignominiously at Sedan, in just retribution for his infamous treason to the nation, when he destroyed the second republic by force of arms. His former cognomen by Victor Hugo of "The Man of the Second of December" was then changed to that of "The Man of Sedan," and with this he has gone down to posterity. After the Franco-German war of 1870-71 the re-establishment of the empire would have been a comparatively easy matter in France had not victorious Germany stood aloof, indirectly encouraged the foundation of the third republic, and thus brought about a change highly advantageous for poor, bleeding and helpless France, but quite dangerous for the prolonged maintenance of a number of rotten and tottering monarchies. The third French Republic, now in its twenty-third year of existence, not only has outlived the two previous ones, but seems to be quite firmly established for many years to come, after having so successfully overcome the treacherous abandonment of her former allies,

the open hostility of the surrounding monarchies, the aspirations and intrigues of the different pretenders to their former thrones, the ill will of the upper clergy until lately, the disturbances of anarchists, socialists and strikers, and last, but not by any means least, the incapacity and insatiable ambition of a portion of her political factors. But now France has overcome nearly all these obstacles and impediments, her army and navy are of the most powerful of any country on earth, and the past has been a wholesome and lasting lesson for that much-praised and much-abused nation, by which she will surely profit in future.

Liberty, Fraternity, Equality is the device of the French Republic. The first and last of these three sublime words are referred to in the Declaration of American Independence, but no mention is made of "fraternity" for some reason or other. The unanimous declaration of the thirteen United States of North America on the memorable 4th of July, 1776, is considered the birthday of the existence of this great Republic, although the Constitution was not adopted until eleven years later. The unheard-of development, extension and wonderful progress achieved by the new republic, the first one founded on the American continent, are matters of record, and every child learns of them at school. On the 4th of July, 1876, the one hundredth anniversary of independence was celebrated with great pomp and universal rejoicing by the then fifty millions of inhabitants; and well might that glorious centennial anniversary have been greeted with such demonstrations of joy, because the country had risen to the pinnacle of power, renown, and material prosperity,—peace within, peace without, and abundance on all sides. Since then hardly eighteen years have passed into eternity, and the change they have brought is all the more remarkable, as there is no apparent reason or cause for such a decline. There have been but few national calamities that were not speedily remedied by charitable aid in money and material. There have been no serious epidemics, no serious floods or riots or droughts. There has been no foreign war, no failure of crops nor lack of

“grub;” and yet the United States have but recently passed through and in fact are still in the thrall of a most disastrous and incomprehensible monetary, industrial and agricultural crisis. What are the causes of this condition of affairs in the vastest, richest and most prosperous of all countries on earth the country that has so often been termed “God’s country?” We will endeavor to study the question with the kind and well-disposed reader, and give our humble opinion, which will be found by all *impartial* people about correct.

When the population of the original thirteen States that composed the Union in 1787 amounted but to a few millions, the Constitution then adopted was entirely appropriate for the conditions then existing; in fact it was a masterpiece of legislation framed by men of genius, sincerity, honorability, and, above all, by men inspired by true and noble patriotism! The first signature on the document is that of the immortal George Washington! a guarantee of perfection in itself. In after years the necessity of amending the venerable Constitution became apparent, and a number of articles were added to it at different periods. Still more ought to be done in this direction. The corruption in politics, business transactions and even family life seems to have rendered further alterations a most imperious necessity.

After the close of the great war of the Rebellion we find that the primitive simplicity of our governmental action, our foreign policy, business methods, family relations, and the even ways of our daily pursuits, had undergone a complete change,—a change decidedly for the worse. The immense hosts licensed from both the Federal and Confederate armies quietly and modestly returned again to private life and their ordinary pursuits, thus presenting to the world the wonderful example of the actors of one of the greatest wars in history retiring as suddenly from the scene of their glorious activity as they had been called on it; and men who were chiefs in command of tens, nay, hundreds of thousands of troops for years were not at all ashamed to accept modest government and civil situations, some even becoming teachers in colleges. On the other hand, the evil result of the mighty and gigantic struggle for the preservation of the old glorious Union was the formation of

trusts, corporations and syndicates for the concentration, in a few greedy, grasping, insatiable hands, of nearly every branch of industry, trade, manufacture, and especially that of transportation by steam and rail. Already the progress and perfection of modern invention, machinery and scientific contrivances and process had deprived thousands of working men and artisans of their livelihood, and caused other thousands to toil with the greatest difficulty in order to earn their daily bread, leaving alone butter.

Immense fortunes were accumulated, speculation became the dominant passion, not only of those cormorants whose nefarious calling it was, but also of profane outsiders who in former times did not even dream of investing or risking their capital or their hard-earned savings in any but their ordinary legitimate business enterprises. The former comparative equality of nearly all classes has disappeared, and we have at present: first, the more or less arrogant, conceited capitalist, the so-called railroad magnate, the haughty banker, forming a small but all-powerful head class; second, the middle classes, laboring under great difficulties on account of the public financial disorder, unfair tariffs and heavy taxation; and third, the poor, down-trodden and shamefully treated working classes, who seem to be considered by their self-styled superiors as no better than the *pariahs* of India.

It is no wonder that a most bitter feeling has been brought about by the diametrically opposed interests and pretensions of the different classes of society as they exist at present in this country, and we cannot blame the laboring classes, the most deserving of all, to give vent to their dissatisfaction by public demonstrations and strikes; they have no other recourse. In former days there were noble hearts, admirable philanthropists,—men like Stephen Girard, George Peabody, James Lick and many others, who made splendid use of their *lawfully* acquired millions by founding and endowing hospitals, cottages, dwellings for the poor, public baths, orphan asylums, observatories, scientific institutes, and made many other generous donations. What have we nowadays? Men who make themselves infamous by their exclamation, “*The people be d——!*” Is there not a most striking contrast between the

narrow-minded, shoddy upstart and millionaire, which in this country of the almighty dollar and the golden calf, strange to say, means "men of brains," and the so-much assailed and reviled aristocracy of old Europe, whom the former are trying to monkey and imitate with such poor success? The difference is simply this: The European nobleman and man of fortune, with but rare exceptions, lives up to his income: he keeps a host of servants, flunkys and retainers; he is ostentatious, and withal refined and gentlemanly; he entertains his friends; he keeps a large establishment, supports tradesmen in every line, and thus freely circulates the income derived from his estate or capital, whether inherited or acquired by himself. The American capitalist sits in his office, figures and calculates and schemes and devises by what means, foul or fair, he can increase his pile. Were it not for the luxurious wives and daughters and some spendthrift sons, who often manage to divert a considerable portion of that pile, there would be no end to accumulation.

As soon as our millionaires have become such, they usually sneak off to some other place where they are less known and less despised, or go abroad to spend their plunder in foreign countries, instead of giving their countrymen and neighbors at home some benefit of their wealth. No man on earth can become the owner of a million of dollars or more by fair, honorable and legitimate means, except by inheritance; even then the origin of such millions is generally dubious. If a man makes a million, that million must come out of somebody's pocket, unless from the bowels of the earth through the hard labor of his fellow-men, the miners.

We very seldom find conscientious scruples like those of the Duke of Galliera, a Genoese nobleman and a medical graduate of the University of Paris, some twenty years ago, who refused point blank to take possession of the twenty millions left by his parents, because he had done nothing whatever to earn or deserve such an immense fortune. We often see parents disown and disinherit their sons, but the case is rare indeed where the son disowns the father, especially when that father quits this world leaving several millions behind him. Quite recently a member of the local Government Board of London,

son and heir of the proprietor of one of the largest breweries in London, refused his inheritance on account of "teetotalism;" another scion of an English baronet, likewise owner of an immense brewery, declined his share of the paternal estate, worth at least one million pounds sterling, because the money had been made by the manufacture and sale of "intoxicating drink." Here we have for once men who are sincere in their convictions.

The fact of so many wealthy Americans going to Europe, not simply to study, travel and enjoy themselves temporarily, but actually to reside there permanently, contributes not a little to the outflow of our gold to foreign countries, for which nothing is brought in return. Their daughters lay traps for and marry more or less impecunious princes, marquises, counts and barons, whose coats of arms are thus regilt. Few of these marriages prove to be permanent and happy, not so much on account of the alleged neglect and ill treatment of the wives by their noble husbands, but chiefly on account of the craze of our women for *divorce* after a few years of married life with one man. This, indeed, is one of the greatest evils to be found in this great country: "Marriage and divorce," as easy to contract as to dissolve; a matter of a few hours' reflection and a few paltry dollars. Marriage has become a mere farce of late years. It is entered into without any previous proper courtship, almost without any legal restrictions; without the consent of parents or guardians; in defiance of public and private opinion; without due reflection, and with the previous mental reservation of severing the marriage tie as soon as convenient, if not necessary. Family life is thus disrupted almost continuously. The family is the prime factor of the community, and consequently of the State. Nowadays we find but few families whose members live together in peace and harmony, who adhere to each other, protect each other, and form a strong nucleus to enjoy weal and combat woe. The children, if not kept in a state of subjection by the prospect and hope of inheriting, neither love nor respect their parents, quit the paternal hearth before they are of age, get married without due sanction, and abandon father and mother in order to establish themselves on an

exclusively egotistical basis. There are, of course, many and even brilliant exceptions,—“*exceptio regulam constat.*” There is no rule without exception, except this very rule itself. We desire it to be expressly understood that, in all the general accusations and scathing criticisms preferred in this little book, we always beg to refer to this rule; otherwise we would be unjust toward many deserving people. We shall return to the subject of marriage, divorce, etc., in the second chapter.

Some prominent man, returning to this country from an extended trip to Europe, said that every American attaining his age, and possessed of sufficient means to do so, ought to visit Europe “in order to learn something.” That man was right. Although we can teach the old Europeans a great many things, we can, on the other hand, learn a great deal from them, especially in the way of public buildings, bridges, streets, police, railroad and steamer travel, courtesy and polished manners in public and in private. Even many a fruitful lesson can we derive from the Spanish-American republics so much decried by ignorant and prejudiced Americans, especially from the neighboring United States of Mexico, where the judicial system, for instance, is by far superior to ours; where the family life exists in its primitive purity and excellence; and where the children, even after attaining old age, invariably revere, love and respect their parents, be they even assassins and robbers. Urbanity, too, can we learn from our Spanish neighbors,—refined manners and exquisite politeness.

Immigration from Europe is what populated America in the first place after the discovery. The United States, soon after peace had been restored in 1814, became the objective point of those who were unfortunate and persecuted in Europe. Emigrants came in limited numbers by sailing vessels up to 1848, when steam transportation became more general; and mighty hosts, coming by the hundreds of thousands each succeeding year, soon filled up the East and West to such an extent that there are too many souls already in many districts. Immigration must be greatly restricted if not stopped entirely. Who is benefited by this influx of the foreigners? Not the United States in general, but the steamship and railroad companies and the speculating land-grabbers. The great

Alexander von Humboldt says in one of his famous volumes on America, "The fewer inhabitants in a district, the greater is the individual felicity." Instead of crowding together in the already excessively populated large cities, the settling down in these ought to be made difficult by local legislation of an exclusive tendency. The people ought to be induced to found smaller towns in the vacant and thinly settled portions of the country.

In this connection we cannot refrain from commenting on the manner in which public lands have been disposed of by the United States Government, especially of late years. It is well enough to sell actual, *bona fide* settlers 160 acres of land each at a reasonable price, conferring on such settler and his descendants the perpetual right of possession as long as he or they live on the land they purchased; but he should not have the right to sell or otherwise dispose of it to other parties; and, in the event of the settler and his family removing from the land, it should revert to the Government, to be assigned to some new occupant. No land, in fact, whether city lots or agricultural tracts, should be sold by anybody to any one, the Government alone having the power and authority to lease the lots or tracts to actual occupants, who require the same for dwelling, manufacturing, or agricultural purposes. Everything on God's earth is movable and salable, except the earth itself, which belongs to all the inhabitants of the globe, and cannot be removed from one place to another. Its corresponding ground rental would be payable to the Government instead of to the so-called landlord.

The introduction and organization of this radical system of holding city and rural land as a fief seems fraught with enormous difficulties at first sight, but upon closer inspection it is simple enough, especially if we start from the fundamental principle that no man can sell or dispose of his land, and that he forfeits his rights to it the moment he removes away or does not need it any more for his original purposes. A man may have his house gilt inside and outside, full of precious stones and other valuables: it does not interfere with the happiness or comfort or sustenance of his neighbor in any way; but if that man should, besides his movable treasures,

own and occupy a thousand acres of land and his neighbors but one-tenth of an acre apiece, then there would be manifest injury and injustice in the abnormal quantity of land owned by the rich man. There is no doubt whatever that the introduction of laws abolishing the right to sell and otherwise dispose of God's earth, and establishing the equitable and rational relation of Government leases, would very soon bring about that general welfare and individual happiness so much desired by philanthropists and benefactors of mankind,—of course to the dismay and detriment of large landholders, heartless, unscrupulous speculators, and the many sycophants attached to them by interest.

On no account should the land purloined from the unfortunate Indian in Oklahoma and the Cherokee strip have been sold to any one, but simply leased to the settlers on condition that they should not sell or assign the land thus occupied. All the shameful and degrading scenes of that invasion of the "Huns and Goths" would then have been avoided.

In the midst of the mad rush just mentioned, and the iniquitous acquisition and holding of the lands belonging to God's earth, it is very gratifying indeed that the Federal Government has of late years inaugurated a system of national parks, thus protecting at least a small portion of the national domain from the greed of land-grabbers, shameless speculators, and the no less dangerous and destructive proclivities of the enemies of our forests and streams. Nature has provided forests in certain districts, and left others almost, if not entirely, bare of trees and even shrubs. It is not only one of the most sacred duties of our Government to carefully guard and protect the forests still existing, but to provide for the laying out and planting of forests where there are none and where they are needed. This cannot be accomplished by weak and desultory laws, but only by stringent measures, prompt trial, heavy fines and imprisonment, the custody of the forests, parks and reservations being intrusted to a sufficient number of guards under due supervision. In this respect, too, we can learn a great deal from the European system of forestry entirely controlled by the State, and which is as poetical as it is strict and beneficial. Not a stick of dead

wood can be picked up, not a tree cut down, in fact nothing touched except by permission from the Government. Forestry is practically a science to be acquired by years of study in the corresponding Government institute, from which the future forest employees graduate to enter on their interesting, highly poetical career, that brings them in daily contact with the admirable workings and wonders of Nature. In a like manner game, especially the feathered tribes, God's favorite and most useful and perfect creatures, could be under the exclusive control and protection of the Federal authorities, the same as the fish; for man in his ignorance and rapacity will kill and destroy for the fun of the thing, leaving alone his necessities. After thousands of years of attempts at civilization, man, the so-called most perfect creature in the world, is little better than the original savage,—only to be kept in check and order by the fear of retribution and punishment such as are meted out by the law.

Before the great war of the Rebellion the country was divided into two great parties (not counting the minor factions), the Democratic and the Republican party, the latter containing a hidden spark of the former Knownothing party, all that has been said to the contrary notwithstanding. Both the Republican and the Democratic party were useful, if not necessary, in their time, perhaps before the war, and most assuredly for several years after its close, until the South had become reconciled to the new order of things. For some time past, however, and especially of late years, the terms "Republican" and "Democrat," already synonymous in themselves, have become an anachronism. The utility and original purpose of these two factions in our great country have long since ceased to exist, and it is but an illusion to believe that the platforms raised by them at the time of the elections for President and Congress differ in any but insignificant points; in fact they are almost identical in principle, though differing somewhat in text. With the exception of the tariff, monetary and taxation questions, the whole aim and object of each party is to struggle *for the possession of office*. These periodical commotions all over this vast land are alike detrimental to the welfare of the nation and the individual citizen, very undignified and often

disgraceful when they are accompanied by the usual slander, libel and accusations of the candidates, and crowned by the inevitable abuses and excesses of a fanatical or venal press. The former political parties and the more recent milk and water Populist faction should be relegated to the background as things of the past, and a new, vigorous, sincerely patriotic and honest party arise like a phoenix from their ashes :—the *Reform party*, which must make it a point, with unflinching fortitude, and in spite of all opposition, to elect men to Congress and to the State assemblies who are not only *willing* but *competent* to propose and form into stringent laws the great, indispensable reforms by which alone this great and glorious Republic can be preserved for our descendants as we inherited it from our forefathers, instead of undergoing a premature decline and disruption, which would otherwise be its inevitable fate.

Our laws are inefficient, in many respects nonsensical and conflicting. In former years, as far back as the fifties, all troubles of a private as well as political nature were promptly settled by the courts, and their decisions accepted and respected by high and low. Such is not at present the case. There is no longer any justice, no end to litigation ; not even after the United States Supreme Court has rendered a decision is the struggle ended, as we have witnessed it of late to our sorrow and regret. By thus sapping the very foundations of society, and of the Government that ought to be the most perfect in the world, but is not, we will surely accomplish their irretrievable ruin. “ *Mene, Mene, Tckel, Upharsin !* ” we must again exclaim, though the quotation is over three thousand years old. There is, moreover, an unfortunate conflict of authority, and no last and final recourse to look to for a settlement of these frequent conflicts. It is often said, by those who pretend to know, that State and judicial matters in Europe have arrived at their present comparative state of perfection, when compared with ours, because Europe has attained such results after many centuries of experiments. Why should not we Americans, after one hundred years of uninterrupted freedom and prosperity, such as had not fallen to the lot of any nation on earth heretofore, have accomplished just as much and even more ? We have produced statesmen second to none in any country

for their talent and integrity, but of late years everything has been sacrificed to party politics and private interests, and now a complete cleaning out of the Augean stables has become a paramount necessity. It is these unfavorable comparisons of our rotten systems and institutions that have inclined many of our citizens to look with more favor on monarchical institutions than on our time-honored democratic ways. The writer was present at a social event in Washington, and to his utter surprise had to hear one of the highest American ladies in Washington society say "that a monarchy is so much nicer than a republic!" His reply was, "Madam, Macchiavelli, the greatest statesman of his age, and the servant and adorer of princes, was of a contrary opinion when he declared frankly that the worst republic was still preferable to the finest monarchy!"

The inaptitude and torpid ill will of our legislation has been shown in the most striking manner lately, when Congress was convened for the sole purpose of providing ways and means to stave off national financial disaster and to solve the monetary crisis. With a hundred millions in gold and nearly two hundred millions in coined and bar silver in the vaults of the Treasury, money was scarce, and general distrust made mercantile relations among our people extremely difficult. The question, difficult as it was and still is, could have been solved in a couple of weeks; but party wrangling, private interests, and those of the banking fraternity, were more important to our legislators than the welfare of the people at large; and so we witnessed the humiliating spectacle of Congress fooling away three eternal months in ridiculous, sophistical debates and superfluous oratory.

A little more than eighteen months ago Congress found it expedient to pass a law requiring all Chinese residents, with a few exceptions, to register their names, with personal descriptions and photographs, and to procure certificates entitling them to sojourn in the United States. There was absolutely nothing whatever in the provisions of this law to offend the susceptibilities of the Chinese residents, nor did they intend to impose the slightest hardship on them. Our Government was even generous enough not to charge any

fee whatever for this registration and corresponding certificate, whilst it would have been fully justified in collecting a dollar apiece from the Chinese. The way in which this decree of our Government has been received and treated is a matter of history, even after the Supreme Court had pronounced it lawful and constitutional! The fact of the wily Chinese refusing to submit to such a simple, harmless law, that was devised and framed for their own protection, was a deadly insult to the Government of the United States, not so much on the part of the ignorant and common coolie laborer as from their governing companies, who insolently and arrogantly forbade their slaves to register, and carried their unjust and ridiculous protest to the highest tribunal of the country. Again our Government displayed its forbearance, a great weakness under all circumstances, and granted an extension of six months. The Chinese contribute but little to the support of the Federal Government, and it would only have been an act of well-deserved retribution had the Chinese been mulcted in the sum of two dollars apiece for their delay in procuring the certificates, which were at first offered them free of charge.

One of the main causes of the present crisis must be traced back to the Chinese invasion of the Pacific Coast. We will not at this time dilate on the dangers and evils to the nation of such an influx of the Mongolians on our shores, of their absolute incompatibility of character with the white man, of their vices and manners and customs, of their antagonism to a republican form of government, which they will never be able to appreciate, of their maintaining their own independent tribunals of justice, which even sentence offenders against their ukases to death, and place a price on their heads like the mysterious Italian maffia, of their immorality and loathsome diseases, and of the bitter feeling that has been engendered against them for a quarter of a century. These are matters upon which innumerable public speeches have been made and barrels of ink expended, to the extent that every well-meaning man, woman and child is now fully posted on the nefarious subject; but we must be permitted, for the sake of argument from a financial standpoint, to mention here that the nomadic and unsteady Chinese population has cost this country

something like *eight hundred millions of dollars* in United States gold and silver coin taken and sent by them to China, not a cent of which will ever return to this country, leaving alone the grievous injury done the white laborer, male and female, by their ruinous competition and lower rates of wages. Here we have a downright national calamity, a sheer loss of eight hundred millions in coin ! It could have been averted in part if Congress had listened in time to the loud and vehement complaints of our statesmen and the immense majority of the inhabitants of the Pacific Coast. But no ! The absurd sentimentality of our Eastern fellow-citizens, the protests of sectarian clergymen, and the incomprehensible apathy of Congress, coupled with the intrigues and presumable bribery on the part of the transportation companies, weighed heavier in the scales, and relief came too late.

As if we had not trouble and difficulties enough with the eight millions of colored people living among us, also debarred from mixing with the white portion of the country, unscrupulous schemers, and reckless, unpatriotic companies, must needs go to Asia, and for the sake of passage money and freight earnings, under the pretext of trade and traffic, drag forth the yellow heathen, induce Congress to make treaties, receive the invading hordes with open arms, and accomplish the ruin of God's favored spot on earth. Never in the history of the world has there been a case where the accredited diplomatic representative of a nation, and a great and powerful nation at that, resigned his honorable position and returned to his own country as the ambassador of the other country ! This abnormality had to be perpetrated by an American citizen, and in the latter part of the nineteenth century ! Upon his return, moreover, and to fitly crown the extraordinary unheard-of occurrence, the man was feasted and glorified by a shortsighted people, who have since had good cause for feeling mortified.

The great danger of the Chinese nation is their enormous number. Four hundred millions of human beings, one-third part of the inhabitants of this planet, is no trifle ; here is a backing, and well are they aware of it. We must admire the Chinese withal. Here we have a civilization of four thousand years ; their records date back that far, and, for all we know,

theirs may be the true civilization, though we of the Caucasian race pretend to be superior to them. God has placed these four hundred millions of beings in the eastern part of Asia: they have slowly developed into their present condition and dense population; they themselves decline all intercourse with other nations; protected by the ocean on two sides, they built an immense fortified wall on their northern frontier thousands of miles long, and wide enough to allow sixteen horsemen to ride abreast on the battlement. This wall, now partly in ruins, should be built up again, and the Chinese Empire blockaded by sea, so as to cut off all intercourse with other nations. The British first encroached on Chinese territory by sea, and forced that country at the mouth of their cannon to trade with them and purchase and consume that deadly drug, opium. Other nations in the course of time followed the British example, and invaded the Celestial Empire with their shiploads of merchandise. The Chinese resisted with all their power for many years, but were finally forced to make treaties with France and England, after these two combined powers had defeated them in several battles, taken their capital of Peking, and sacked and burned the imperial palace. The United States came in later to share the spoils of commerce with China, and to open their gates to the mighty hosts of hungry Mongols, who threatened at no remote period to overrun our whole country, and conquer it by sheer numbers. We in return obtained the privilege of collecting their passage and of trading with a few Chinese ports, not forgetting that of sending a number of sneaking, bigoted missionaries under the pretext of converting the Chinese, whilst we have so much missionary work yet undone in our own country. China got along very well with her Buddhist creed for so many thousand years, and it is simply cheek and absurd nonsense to pretend to convert them now to the Christian religion. The Creator has seen fit to place the Mongolian in Asia and the negro in Africa, and there they ought to remain. Since we cannot and will not mix with them, so as to blend the races, the Caucasian ought to leave these black and tan breeds most solemnly alone to work out their own destinies. Philanthropists on

sentimental grounds, hypocrites on religious pretexts, and merchants on the grounds of commerce and profits, will as a matter of course entertain different opinions and declaim violently against our theory, which in spite of all is the true one. Speaking of American missionaries that go abroad to convert other creeds to that of Jesus Christ, as it has been perverted and is practiced nowadays, American missionaries, who have the extraordinary cheek to even invade the territory of the Moslem, whose religious tenets are superior to theirs and certainly more sincerely observed, should not be encouraged, much less protected, by our Government. They must take their own chances, and become martyrs if they feel so inclined. We cannot afford to have continual diplomatic reclamations and controversies with other nations on account of a handful of religious fools seeking notoriety abroad; the famous Monroe doctrine ought to be applied here in an inverted sense; it is a poor rule that does not work both ways, and we are sorry to say that we Americans have of late shown a propensity of interfering with certain foreign affairs, instead of minding our own business. The great Washington already warned us to observe the strictest neutrality with regard to the affairs of other nations, and not to interfere in any manner. If the time should come when we are insulted or otherwise meddled with, then is the proper moment to show our claws.

Supposing for a moment, as a matter of hypothesis, that all Chinamen should be compelled to return to Asia, and all Americans be expelled from China, as by right they ought to be; that we should lose the trade with China; that our steamship companies would have to withdraw their ships from their hitherto profitable line; that we should get no more tea, silk, rice, sugar, rattan and stinkpots; what of it? The temporary losses to corporations and individuals would be balanced and even outweighed by the immense advantage of being freed from the obnoxious presence in our midst of the Chinese element, and the dangerous complications that are sure to loom up sooner or later.

The only product from China, a favorite drink with Americans and an indispensable one with Englishmen, which

we might miss, is *tea* ; but even this article could be replaced by a native American plant. The writer years ago already discovered one that surpasses Chinese tea in delicious aroma and taste, and contains hardly any of the astringent properties of tea, called in chemistry "thëine." This plant grows wild in great quantities, and is of far easier cultivation ; if introduced into commerce, it would soon drive out Chinese tea entirely. The higher grades of Chinese tea are very nice to the taste and not injurious to health ; but what about the other grades, that have already been boiled and used in China, and are adulterated with all kinds of strange stuff ?

Before concluding with the Chinese topic, we cannot help expressing our admiration of many superior advantages these people have over our so-called advanced civilization. Every Chinaman wears his hair in the same style, and the queue has some advantages, although it is an appendix. They have a national characteristic costume, in every respect superior to ours, varying but in the quality of the material, according to the social position of the individual. This plain but not at all unbecoming dress of men and women in China beats anything we Americans and Europeans, in fact any other nation, can present, as far as simplicity and comfort are concerned. There are no styles, no ever-changing fashions, no absurd monkeying that which we envy in others. When a Chinaman is dressed in a new clean suit of plain blue satin, his thick-soled felt shoes, and his neat skull-cap surmounted by the colored button, he looks by far better and certainly less ridiculous than our swell society men in claw-hammer coats, low-cut vests, and the uncomfortable, miserable, stove-pipe hat. How such a head-covering could outlive the first novelty of its appearance for even ten years is as deep a mystery as the object of the Egyptian sphinxes.

Reckless extravagance in dress and living, the neglect of everything that is reasonable, sensible and of real comfort in our life, is another of the causes of general distress. The ever-changing fashions are productive of the greatest evils. Let the husband and father of a household of limited means be heard on the subject and give his sworn testimony. A plain sack coat or blouse, knee-breeches, and a soft felt or straw hat

should be the dress of our men, and if women would but come to their senses, cut off and discard the long trains of their gowns, adopt a fixed, plain and comfortable dress, without any leg-of-mutton sleeves, collars rising over the ears, and without those ridiculous, absurd and vulgar-looking feathered and flowered bonnets, that make them appear in public like a flock of circus performers, it would be far better for all concerned. The waste of material in this direction, by our women especially, is something immense, and should be stopped by law, since people will insist on their folly. Female dress reformers have at various times devised and introduced new styles of female apparel,—the bloomer, the divided skirt, the pants and coat similar to men's, and other changes, one as absurd as the other. Woman has been created for the skirt, and appears to best advantage in its mysterious folds, but that skirt must neither trail in the dust and dirt nor be cut too short, nor be overloaded with trimmings and ornaments, outraging good taste and ethics. *Dress reform*, we say, is needed as much as any other improvement at present.

We would like to see more equality in the way and manner of dress and living among our fellow-citizens, not one to inhabit a palace, far too large for his use, the other restricted to a miserable hovel. Everybody ought to have the same substantial, though plain food, and everybody plain and comfortable clothing. Neither silk nor velvet nor costly laces are at all needed to insure comfort and happiness. The narrow-minded, the vanitous, the adorers of the golden calf, will exclaim that legislative measures and restrictions in the way of dwellings and dress would be an infringement on individual liberty. Very well! but pray define the term "liberty." We understand "liberty" to be the faculty of every man to do and act as he pleases, *provided his doings and actions do not interfere with the happiness and comfort of his neighbor!* There can be no doubt that the conception of "liberty" is very elastic, and depends mostly on prevailing circumstances. Any man might avail himself of his rights as a free man to walk about naked on the streets, construct a tower one thousand feet high on a twenty-foot basis in the center of a city, or drive in a carriage with axles of fifteen feet in length; but he is

forbidden by law to do anything of the kind, simply because such fancies would interfere with the comfort and security of other people. Laws are as necessary for the maintenance of order, security and happiness of men, as are their daily food and water ; whether these laws are dictated by a monarchical ruler, a tyrant, or a democratic body of legislators, it matters not, as long as these laws are just, equal for all, and obedience to them enforced. Take a small body of but fifty men, and place them together somewhere in an isolated region to shift for themselves without any outside control. Unless a leader is chosen or appointed from the very beginning to rule them and regulate their intercourse, chaos, anarchy and murder would be sure to follow immediately. It is for this reason that laws for the government of nations, cities, towns and villages have been framed, and statutes, rules and regulations laid down for all combinations and assemblies of men. These laws are generally more or less imperfect, sometimes vicious and obnoxious ; then they must be altered or amended, a process much easier under a democratic form of government than under a monarchy, because a republic can change its rulers periodically, and freedom of speech and the press enable us to publically discuss all questions outside of the sacred precincts of our legislators.

There may be, however, an excess and conflict of laws. Such a condition of affairs has frequently occurred in the history of our little globe, and is even now exemplified by our own United States,—a very unfortunate state of public affairs. It has brought about anarchism, and if not checked and remedied very soon will result in the disintegration of our great Republic. The war of the Rebellion, or, if you prefer, of Secession, was thus brought about by this conflict of the laws of the country. A slave in the South by law, a free man in the North by law, and yet the former law was older. Although during the great war, and for some years after its close, decidedly on the Federal side, because we were absolutely opposed to a division of this great Republic, which would soon have been followed by further secessions, and the consequent destruction of one of the strongest bulwarks of liberty and prosperity, we have often reflected of later years that the South not only had a perfect

right to secede and form a separate republic with its own institutions, but that the South has been shamefully treated and despoiled, notwithstanding the fortunate result of the great struggle, by which the seceded States were forced to remain in the Union.

Anarchism, which for the last decade or so has grown, developed, and raised its gory head in Europe and in the United States, is a nasty thing to cope with. It is not like an open, honest foe, whose forces can be numbered, and his plans of campaign foreseen and guarded against. In the thin ranks of the anarchists it is unfortunately in the power of one single man to prepare his deadly engine, conceal it on his body, and discharge it at any unsuspecting assembly of innocent and harmless people. Suppose the recreant, infamous wretch is caught: he is tried, condemned and executed in the same manner as the slayer of a single individual in a personal affray. The laws are evidently inadequate to uproot, or even to check, this monstrous outgrowth of the evils that afflict mankind in the midst of our so-called advanced civilization. Anarchism is a relapse to the most ferocious kind of barbarism, and must be met with barbaric measures. Lightning trials, so-called drumhead courtsmartial, and immediate, ignominious execution of the culprits, are what is most needed. There is no law of expulsion and proscription in this country, but the sooner such a law is framed the better it will be for public safety in the United States as well as in Europe. Proscription was part of the Roman and Greek legislation; it would be desirable in our Republic, though exclusively for suspected common criminals,—not political offenders.

Socialism is comparatively harmless when compared with the monster of anarchism. The socialists profess to reorganize society on the basis of equality by reducing extreme wealth as well as extreme poverty, something like the intentions of the good King Henry IV. of France, who wanted every man to have a chicken in his pot on Sundays, and would have carried out his plan had he not, like most great and good men, met with a premature death and fallen a victim to the assassin's knife. The socialists at least endeavor to make propaganda by means of speech and press, not resorting to any acts of

violence unless these are forced upon them in monarchical states, where they certainly are a dangerous threat to the existing institutions, and are frequently prosecuted, imprisoned, fined, and their meetings dissolved by the police under instructions from their superiors. If the socialistic propaganda should finally succeed, and its dogma become prevailing, it might be in the interest of mankind for all we know.

Every observing mind is aware that since the great war in these United States of North America there has sprung up, like the mushrooms in the forest after a warm rain, a certain plutocracy, upstarts and imitators of all the old time-honored European aristocracy, that has accumulated immense wealth amounting to fabulous millions, in most cases of doubtful, if not of criminal, origin. This wealth is in the hands of a privileged few, and the distribution of the good things of life has therefore become very unequal and certainly unreasonable. Without being a communist or socialist we cannot help deeply to deplore such a condition of financial matters. Let a hard-working, smart or lucky man make a reasonable fortune, retire on it, and live on his liberal income in peace and quiet for the rest of his days on earth ; but for heaven's sake do not take all, hoard it up, deprive your fellow-being of the necessities of life, and create that spirit of restlessness and general dissatisfaction now prevailing in our country. Excessive possession of real and personal property must be prevented and limited by law ; there is no other remedy. The arrogant and haughty millionaire of the stripe of the one that immortalized himself so ignominiously by exclaiming, "*The people be d—!*" when some just explanations were made to him, has neither a knowledge of human miseries, such as are brought about by absolute poverty, nor does he or she care whether their neighbors live or starve. There are of course many and brilliant exceptions, an axiom we have stated before ; but the general class of these four hundred or three hundred or one hundred of the so-called upper strata of society enjoy a very unenviable reputation. If it is not the miserly propensity of a Harpagon, if it is not haughty seclusion, it is certainly either an imbecile desire to be more than they really are, or to outdo and outshine their own ilk by reckless extravagance as well as ridiculous

and stupid shoddyism. We do not like to be too severe, but of all human ailings and defects we detest "hoggishness." We remember once witnessing a group of convivial friends throwing the dice for the drinks in a fashionable saloon. The highest throw was five fives, when the last player went one better, and had the good luck to throw five sixes. His exuberant demonstrations of joy, however, were but of brief duration, when he was informed by the rest of the party that *he* had to "set them up," because throwing five sixes on top of five fives was considered "*hoggish*." We again declare that no man can make one million of dollars by fair and honest means except he inherit it. This already exorbitant amount of one million ought to be fixed as the utmost limit of one individual's possessions. With the income of one million any man, even if he be the head of a large family, can live in luxury, ease and comfort without working for his living, like hundreds of thousands are compelled to do; what more does he want and can he reasonably use? In answer to this more than just and equitable proposition and accompanying limit of one million of property, the hue and cry will be about the hemming in of ambition and progress; but those who utter such protests are biased either by being already possessed of an excessive fortune, or by their parasites and lickspittles who bask in the master's sunshine or feed at his manger. We have the great satisfaction of knowing beforehand that the immense majority of our fellow-citizens will be decidedly of our if not even of a more radical opinion. The reduction of those ill-gotten immense fortunes to a reasonable and equitable standard is a matter of easy execution: all that is necessary is the heaviest possible taxation by the Federal Government, as well as the State and municipal authorities, of all excess over one million, and the forcible distribution in equal parts to all the heirs of an estate, after deducting a fat percentage coming to the Government as an additional tax, not leaving out of sight the peremptory necessity of limiting the possession and occupation of landed property, which should be inalienable as integral parts of the earth of God, leased by him to an ever-changing and transitory humanity. If our greedy monetary cormorants could possibly accomplish it, they would

form a syndicate to mortgage our planet to the inhabitants of another sphere, or they would drain the ocean in order to create lots of 25x100 to dispose of to the poor trash, and accumulate immense profits.

This unsavory subject leads us to the unfortunate condition in which hundreds of thousands of deserving workingmen and their families are placed at present, in a country where want and privation should be entirely unknown, national calamities such as floods, earthquakes, droughts, etc., of course excepted; even these latter can always be promptly remedied, and very often are, be it said to the credit of our population.

In a certain measure the working people and artisans, as well as the so-called genteel professions, are to blame for their present distress. It is owing to their restless, nomadic dispositions. Hardly does business become slack in the place of their birth or usual residence, when they at once pack up their traps, often leaving their families without means of support behind, and migrate to strange parts, in many cases even thousands of miles away, not reflecting at all that these strange parts already have their own contingent of laboring and toiling men, and that they only come to snatch their legitimate bread from these too. This is one of the chief reasons why we see them by the thousands clamoring for work, and, in lieu of work, bread and shelter to keep from starving. The benevolently inclined, the upper classes from fear of excesses and plunder, and sometimes the local authorities, come to the relief of these poor deluded beings, but such assistance can be but temporary and limited in kind. Supposing a needy stranger is given food and shelter for a few days or weeks, where is he to get clothing from, and wherewith to pay for his washing, bathing, tobacco, beer and a lot of other minor requirements? The misery thus produced is something appalling, and the only way to put an effectual stop to it would be to advise the men to remain at home, where they are supposed to have friends, families or acquaintances, to whom they can look for more sympathy than can possibly be expected in strange places remote from their original sphere. Or these unfortunate but shiftless men should be sent back to

their former abodes with a warning to remain there, which advice most of them would no doubt be inclined to follow after the awful experience they have gone through. This migratory propensity is partly excusable in young, active men, who can rough and weather it, whose misfortunes affect them alone; but when it comes to married men taking such desperate chances, with a wife and children or other persons dependent on them, then roaming about at random is unpardonable. Every village, town and city is bound to assist and support their indigent, their sick, and those without means of securing a livelihood. By seeking help and work elsewhere they forfeit the aid thus due to them, and take desperate chances, as we see it daily just now. Hardly had the great Columbian Fair in Chicago come to an end after its brilliant career of six months, when there were thousands of men and women helpless on the streets clamoring for bread. And yet millions over millions were taken to and expended at the great City on the Lake. If this be the result of industrial exhibitions and international shows in this country, we must renounce the idea of ever repeating them. In former ages, when the tribal system was still in full blast, and one tribe or race became dissatisfied with its pastures, places of abode and mode of living, they would strike their tents, pack up their goods and chattels, collect their live-stock, and, under the leadership of cunning and valiant chiefs, start for other regions, the men armed to the teeth, protecting their women and children during the period of migration. If their number was overwhelming, or if they were braver and stronger than the people they came to dispossess, they easily founded new hearths; but terrific, stubborn battles and fearful slaughter were the more frequent results of the invasion, and then "*ex victis!*" No mercy, no quarter, was known. Everything became the booty of the victorious tribe: arms, cattle, the younger women, and sometimes the children, when these were spared; the men were slain. Those were the good old times; nowadays, in our so-called enlightened age, and with our pretended advanced civilization, these things are managed differently, but the result is just the same. If in former years the nations like the Goths, Huns, Vandals and Norsemen left

their icy and barren regions in quest of better fields, decided to conquer or to perish, well knowing that there was absolutely no other alternative, there was something to admire in such expeditions. The weapons, too, were almost alike, differing only in the shape and length of the sword, spear and buckler in some nations. The fighting was hand to hand at close quarters,—no cowardly hiding behind breastworks and battlements, and firing long-range rifle bullets and shells at an enemy more or less concealed also. The night of the battle of Cannæ, in which Hannibal was victorious, and which lasted from daybreak till sunset, there were lying sixty thousand warriors slain by hand on the field, not counting the wounded who could escape.

Dear old Switzerland, the country whose institutions, people and sublime scenery we cannot tire of quoting and admiring; her rough and mountainous territory, notwithstanding, did not escape the fate of Germany, France, Spain and Italy, and was invaded several times. Of the original inhabitants but little is known. The first conquest was by the *Rhaeti*; these in turn were driven out by the *Helvetii*, a Celtic tribe. The latter were conquered by the Romans in the year 58 B. C.; but conquest by the mighty Romans was to all tribes and nations an immense advantage, although not appreciated by the Teutons, Picts, Scots, and some others, contrary to their own profit. The Romans did bring civilization in the real sense of the word; they seldom interfered with the religious rites and other customs of the conquered, but taught them order and equitable law, made fine roads and aqueducts, founded flourishing posts and cities in the conquered provinces, and established communication and trade with Rome. It is extremely questionable whether the introduction of Christianity, with the inevitable accompaniment of dukes, counts and bishops as rulers, could outweigh the mild but solid and just domination of the great Romans. The descending influence of the Roman occupation of centuries is felt even to this day by some of their surviving works, the “*Romansch*” dialect still prevailing in the southern part of Switzerland. Rebellions against the Roman power were seldom, on account of the awful retribution that was sure to follow, as in the case of the Jewish nation during the reign of the Emperor Titus.

Asia and America having long since ceased to be the object of armed invasions for the purposes of conquest and occupation, the attention of over-crowded Europe during the latter part of our century has been turned to the dark continent of Africa. England, France, Germany, Spain and Belgium have at various times sent expeditions to conquer portions of Africa, there being considerable rivalry and jealousy between them; the invasion and conquests are still progressing. We hear but little of the slaughter and destruction of the tribes, which is accomplished only by means of superior armament, rifles, cannon, shells and rockets against lances, spears, assagais, bows, arrows and bucklers. No force of natives, be it ever so numerous and well trained, like the *impi* of the poor Zulus, can withstand the murderous attack of the Europeans at long range; and if the poor natives of the black race sometimes succeed in surprising and annihilating a small body of their aggressors, the hue and cry of massacre sounds all over Europe, and the final destruction of the tribes, and seizure of the land they have held for thousands of years by the will of God, are all the more inevitable. All these acts of barbarity, injustice and spoliation are committed under the pretenses of commerce, colonization and civilization. Civilization!—Great Cæsar!—which consists in the cross, the bible, gunpowder, whisky, and other physical calamities. In this respect the great Republic of the United States of North America has a clean record, and may justly be proud. With the exception of Texas, which was obtained in no very creditable manner, and which ended in the Mexican War, we have acquired all additions to our immense territory by lawful purchase, and paid cash for them, to the extent of allowing fourteen millions of dollars for Arizona and Upper California after having conquered them. If the latter region afterwards turned out to be the modern Golconda, and furnished the world with untold millions in silver and gold, it is not our fault; we knew nothing of it.

Excess of population is sure to bring forth untold disasters,—need, want, poverty, and consequently general unhappiness; but how to check the increase is a very ticklish question.

The doctrine of Malthus has some very good points; closing the door to immigration is another radical measure, which every nation certainly has a perfect right to take. It is in the power of man to diminish the natural growth of the population, and, if he will, to cause the extinction of the entire human race within fifty years, thus giving Nature a chance to reconcentrate the immense vital fluid disseminated among fifteen hundred millions of human beings, and create some more perfect specimen than the present man, truly and justly classified as an "animal" of the order *bimana* (two-handers), by an eminent natural historian, even if under the high-sounding epithet of *homo sapiens*, the "wise man;" it should have been the "cunning" man.

There is in the wild and rugged regions of Norway a peculiar species of little animal of the rodent kind, not unlike our chipmunk, called the "lemming," or wandering rat. These animals live in burrows and feed on roots, nuts and such other substances as may from season to season come in their way. They increase and multiply like the common rats, rabbits and cholera bacilli to such an extent that every three or four years the food at their disposal is entirely insufficient; and, as they are not in the habit of devouring each other, called by some mysterious means, they all gather in one place, and hold a congress of deliberation, the result of which is that a large section, consisting of hundreds of thousands of these noble little animals, are detached from the main body, just as many as are deemed superfluous, and take up their funeral march in regular military column over mountains, through vales and gorges, fording rivers, generally in a straight line, to the nearest seashore, where they drown themselves in self-sacrifice for the benefit of their fellow-lemmings. What a sublime lesson to greedy, selfish and hoggish man! In a thousand of us how many would we find to volunteer to go to even so easy a death as drowning in the sea in order to relieve the distress of the others, or save them from destruction? Perhaps one quarter of one dozen!

The founding of an entirely new party in this country, a party honest and sincere, free from the ridiculous obligations

and fanatical prejudices of the hitherto existing three factions, has now become a matter of paramount public necessity for our ill-governed and plundered people. There is no time to lose; this great and difficult task must be undertaken at once, if we intend to save the magnificent Republic bequeathed to us by those magnanimous and disinterested patriots of the revolutionary period. With never-diminishing admiration and gratitude we look back to such names in our history as Washington, Franklin, Adams and Jefferson. In the earlier times of this government there were great statesmen,—Webster, Clay, Calhoun, Cass, Marcy, Sumner and a host of others. Alas! the race has died out, and nowadays there are no more patriots, hardly any but political frauds, interested schemers, corrupt, ignorant officials, with a few exceptions, of course. We had better erect a golden calf of heroic proportions on the public square of each city, since it is a fact that all patriotism has been relegated to the background to make room for the Almighty Dollar. Many of our millionaires go abroad to spend their fortunes; their daughters hunt for foreign titled husbands in preference to an honest, plain, American countryman. A sprig of an ancient New York millionaire race even goes so far as to purchase a newspaper in England, and to manage it in the interest of the British aristocracy. What glory or enjoyment can there be in an act of apostasy of this kind? How different from the glorious and unique example given by the immortal George Peabody! He made his immense fortune in London as an *honest* banker, and that is saying a great deal; he founded hospitals, dwellings for the poor, and richly endowed many public institutions in the great metropolis, simply to show his appreciation of the hospitality extended to him as an American, and of the wonderful success he had met with. Then he returned to the United States, bringing his eleven millions with him, and distributed them in a most liberal and generous manner even yet in his lifetime, unlike those harpies who want to control their ill-gotten wealth even beyond the grave by signing wills full of restrictions and ridiculous clauses. It is indeed an immense satisfaction for those remaining behind on earth that the departed cannot take anything with them, thus sharing the common lot, “Naked we came into the world, and naked must we leave it.”

But the formation of the new party is not sufficient, be its intents and purposes ever so noble and good. The most important reform in our national organization, surpassing every other measure, must be a law to make all official positions tenable during good behavior, accompanied by physical and mental ability, unless the office itself is abolished by law and the requirements of the public service. Appointment for life is already the rule in the army and navy, in the case of the Federal judges and the Supreme Court. The Presidential Cabinet and other high offices, already subject to election from time to time, must, of course, be excepted. It is these unwholesome periodical changes in the official spheres that produce such pernicious results every four years in the exercise of the Federal Government, and every two years in that of the State governments. The sword of Damocles hanging continuously over the heads of chiefs of departments, clerks, messengers and other employees, not excepting the judiciary officers, causes the utmost confusion in all branches of the Government. What effect or influence can the coming in or stepping out of the different superannuated political parties possibly have on the efficiency of the clerks in the Treasury Department, for instance? Politics can have no bearing whatever on the daily routine duties of the clerks. It is quite sufficient that the President and members of the Cabinet, as well as the members of Congress, are subject to the changes of elections; but, for the sake of decency and propriety, let the sub-officials stay where they are. The civil service law has been productive of some good, but it is not far-reaching enough, and should by all means be modified at once. A nice army and navy would we, or any country under the sun, have if the commissioned officers were to be subject to election every four years! Disorder and chaos would be the inevitable result of such an absurd measure. If the permanency of these officers, the pride and support of all nations, is a recognized necessity for the efficiency and welfare of the service and the security of the country, the other branches of the Federal and State governments are just as much entitled to stability in office. It takes years of hard study and constant training to produce good employees in civil as well as in military branches; why

then raise the cry of persecution, and apply the barbarous maxim of "*ex victis*," whenever a new party comes into power? By making the officials entirely dependent on the success of the party they originally belonged to, we deprive them of that independence of character and reliance on their future subsistence which they ought to be able to enjoy for the benefit of the public service, leaving alone their personal happiness. A man should remain in office as long as he is competent and behaves himself. When he has served a certain number of years, he is entitled to be retired on half pay for the rest of his life, the pension ceasing with his death. Such is the system in old England and most civilized countries, and they have every reason to hold fast to an institution that insures faithful, honest and capable officials in all the branches of government. Stability in office once instituted by law we would also be spared the dangerous disturbances in the body politic, and the disgraceful scramble for positions occurring every few years, besides relieving our Presidents, Cabinet officers and members of Congress of the onerous and harassing obligation of repaying their constituents for "services rendered" during the election period.

The continued conflict of authority and the lack of recourse for a final settlement of any question, judicial or political, are another sign of dissolution. When we come to witness that even a decision of the Supreme Court of the United States of North America, the highest and most august tribunal on earth, is disregarded and not instantly carried out, as was recently the case with the Chinese certificate imbroglio, and the disgraceful wrangling between the corrupt and interested parties, then indeed can the cry of "*Caveat Patria*" not be heard too often. It is not to be wondered at if, in the present condition of the governing powers of this once great and almost perfect Republic, one State of our Union threatens to secede; another to sever commercial relations with the East; still another that wants to coin its own money. And what has become of our so much boasted of patriotism? In the same manner in which the race of our famous statesmen has

died out, the race of true patriots has become extinct, with the exception of the army and navy, where patriotism is still to be found, and we hope ever will be found.

What is *patriotism*? It is the first and most far-reaching virtue man can exercise. Patriotism is not alone the simple platonic love of our country, whether native or adopted. It is principally the desire, the willingness, to work with all our might for her welfare and prosperity, and, if need be, in times of danger and calamity, to offer our lives and fortunes in her defense. If patriotism has been a national virtue, widespread at the time of the Revolution and during the several wars this country has passed through at an increasing ratio, we see but few traces of it left nowadays. The almighty dollar, cynicism and selfishness have taken the place of true patriotism. How else are we to explain the startling symptoms cropping up in every direction? Take for example the Governor of a State wanting to wade in blood up to the bit of of his horse's bridle; another Governor sending an insulting message to the head of the nation without any other provocation than that of an importunate request, couched in suitable official terms. No wonder Edison says that the United States are fast becoming an insane asylum full of cranks, if such things are permitted to take place, making all due allowance for liberty of press and speech. From the earliest period of our brief history as an independent nation, we have seen symptoms of the basest ingratitude on the part of the legislative bodies, akin to a lack of true patriotism. The great and noble Washington served his country's cause, during the war of the Revolution, without the hope of fee or reward. It is a fact that he did not even have a salary as Commander-in-Chief of the army; Congress simply allowed him a part of his expenses. Any visitor to the archives of the Treasury Department may see the original itemized account of General Washington's allowances, and will assuredly be astonished at the meager figures. He subsequently served the country as Chief Magistrate for two terms, and, if any man ever deserved posthumous honors, it certainly was George Washington, but they were a long time coming. Instead of erecting to the great soldier, patriot and statesman, who earned the glorious

title of "Father of His Country," a brazen column surpassing even that of Marcus Aurelius in Rome in beauty and colossal proportions, the great man's tomb at Mount Vernon, within a few miles of the national capital, humble and plain as it was, was allowed to go to decay, owing to the shameful ingratitude, not so much of the people in general, as of that of Congress, whose imperative duty it was, at a time when the national treasury was replete with surplus funds (during Pierce's administration), to appropriate a hundred thousand, nay, a million of dollars, to restore the venerable shrine, purchase the surrounding domain, and erect a pantheon or temple fit to contain immortality. It is said republics are ungrateful. May be, in the case of the United States of North America, but not in France and Switzerland, where the mortal remains of great men have hardly been consigned to the grave when magnificent monuments and statues are erected in their honor. When France presented the unique, colossal Statue of Liberty to the United States, it took many months of wrangling and improper debates over the miserable appropriation to be allowed by Congress to supply the pedestal. And yet such an ornament in the harbor of New York is a subject of joy and delight to all who have the good fortune of beholding the eighth wonder of the world. We are very prompt in making claims and collecting them, but, once the coin in our coffers, the rightful claimants can wait until doomsday to get their portion, to wit, the French spoliation claims, the Alabama awards, and many minor cases,—our chronic political disease, procrastination, delay, want of jurisdiction and no final winding up of any matter. It is different in private business to a certain degree, provided, however, that this is kept clear of lawyers and the courts.

We have but few national holidays, the principal ones being Washington's Birthday and the Fourth of July. These sacred anniversaries, reminding us periodically of the birth of the father and of the country, ought ever to be celebrated with the most ardent enthusiasm and a lavish expenditure of public and private funds, and so they were in former years. But the

people seem to have exhausted both, and have become apathetic, if not entirely indifferent. In this respect, too, we can go and learn something in Europe. On the eve of a national holiday one or more bands of at least fifty pieces each, instead of the proverbial dozen or two, called a fine military band in cities, where good musicians are to be found in abundance, should parade the principal streets with an escort of military and torchlights, playing patriotic and jolly marches, in order to amuse the people and prepare them for the coming day, when a reveille of drums and fifes resounding through the streets at daybreak is again in order. Above all, business should be entirely suspended on such days, places of refreshment and decent amusement alone excepted, thus compelling the greedy merchants and shopkeepers to take some little interest in "the day we celebrate." Public officers and bankers require no such compulsory measures;—the former because they are only too glad to get an outing, and the latter because a day of suspension in the handling of the mammon does not interfere in the slightest degree with their immense profits. Bankers, after all, have the finest time of all professions. They open at ten, close at three, and take things remarkably easy, until some fine morning the president or cashier has taken French leave with a portion of the plunder, when there is howling and gnashing of teeth and great wailing in Israel.

In September last year the one hundredth anniversary of the laying of the corner-stone of the capitol at Washington was duly celebrated, the President of the United States delivering a beautiful oration, from which we beg leave to extract the following: "If the representatives, who here assemble to make laws for their fellow-countrymen, *forget the duty of broad, disinterested patriotism, and legislate in prejudice and passion, or in behalf of sectional, selfish interests*, the time when the corner-stone of our capitol was laid, and the circumstances surrounding it, will not be worth commemorating. The sentiment and traditions connected with this structure and its uses belong to all the people of the land. They are valuable promoters of patriotism in the discharge of public duty and *steadfastness in every struggle for public good*. They also

furnish a standard by which our people may *measure the conduct* of those chosen to serve them. *Inexorable application* of this standard will always supply proof that our countrymen realize the value of the free institutions designed and built by those who laid the corner-stone of their capitol, and that they appreciate the necessity for *constant, jealous watchfulness* as a condition *indispensable* to the preservation of these institutions *in their purity and integrity.*" What an immense pity that such appropriate and instructive words should generally fall on barren ground and be carried away by the wind of indifference.

A most flagrant case of utter lack of patriotism, leaving aside humanity, was evidenced but recently, when the venerable, the victorious corvette *Kearsage*, the destroyer of Captain Semmes' *Alabama*, went on the rocks at Roncador Reef, a few hundred miles from Colon, the Atlantic terminus of the Pacific Mail Steamship Company. Although this famous company had one of their steamers available at the Isthmus ready to sail immediately in order to rescue the shipwrecked crew of the *Kearsage*, a whole day and night were spent in telegraphing from Pontius to Pilate about the conditions, convenience and price, whilst the crew was, for good reasons, presumed to be in the greatest danger of perishing in part or all! The proper course would have been to dispatch the mail steamer *immediately* for the relief of the crew of the ill-fated old man-of-war, and negotiate about the price *afterwards*. We feel quite confident that the Government would have made a most liberal allowance for the act of salvage performed by the Pacific Mail Steamship Company, and the whole transaction would have had a more creditable aspect in the face of the country.

The great Roman orator *Cato Severus*, previous to the second Punic war, closed all his speeches with the inevitable phrase, "*Cæterum censeo Carthaginem esse delendam!*" (and finally I am of the opinion that Carthage must be destroyed), and Carthage *was* destroyed. In humble imitation of that famous exclamation of Cato, we now close this chapter of general warning with the renewed cry of "*Caveat Patria!*"

II. LAW AND JUSTICE.

THE foundation of society and the pillar of all human organizations and institutions is the family. Customs, rules and regulations were first laid down in the remotest periods by the patriarchs, or heads of the families, for the observance of peace and order in the inner home circle. Implicit obedience was rendered to the head of the family, and from his decisions there was no appeal, for he even held the power of life and death over his children. These interior regulations, however, differing very frequently from those of another family, were not sufficient in themselves to control the relations with each other, and it was soon found absolutely necessary to frame rules for the government of the tribes, which finally merged into States and nations. This evolution was the origin of laws and justice. It is not our intention to review the different systems of legislation since mankind formed into States, nor to enter into wearisome details of the relative merits of the Hebrew, Greek and Roman law, although we feel tempted to eulogize the latter in particular ; for Roman law has withstood the changes wrought by centuries better than any other, excepting the ten commandments, and it would have been a blessing to mankind if more of the old Roman laws were still prevailing. Liberty is a very relative and still more elastic conception. Absolute and unrestrained liberty of individual action is impossible, because man would be in incessant conflict with his neighbor ; and, as man and his neighbor only too frequently differ on many, if not on all, subjects, there would not be any peace, security or harmony, but for the power and strong moral influence of what is called *law* ;—the more or less well-considered, digested rules for the personal relations of men with each other in the first place, and for the government of the masses in the second. Some laws are just, wise and beneficial, others arbitrary, unfair and oppressive. These laws are changed from time to time ; but no nation has as yet been able

to rise to that pinnacle of perfect legislation, and its cousin-german, jurisprudence, which the progress of culture and learning would seem to indicate. France, Belgium, and especially that beacon light of rational liberty, Switzerland, undoubtedly excel all other nations in this respect. The English laws, and their offspring in these United States of North America, are by far too complex, and so replete to overflowing with superfluous and meaningless verbiage, that neither the exponents of the law, nor the attorneys, and much less the unfortunate public, are able to comprehend them fully or even approximately.

If law is the regulation of the relations of men in private as well as in public, *justice* is the effect of the law and the execution of its inexorable mandates. Justice is figuratively represented as a woman, blindfolded, holding a pair of scales in her right hand and a naked sword in her left; in our country a pair of crutches should be added to the equipment, for justice with us, we are pained to say, is not only blind but *lame* too.

In the present age, and with our so-called advanced civilization, the general education of the people, productive of softened and enlightened thoughts and ideas, a different kind of legislation must necessarily prevail than that of the dark and middle ages. Legislation nowadays is comparatively easy, but there are too many impediments thrown in its way by the stupidity, ignorance, malice and selfishness of a great many of the public men intrusted with this all-important task; hence our laws are defective in many points, and lack that fundamental virtue,—*equity*!

In the United States of North America we have a superabundance of laws, and such is this superabundance that the laws necessarily come in conflict with each other; and neither judge nor jury nor attorney nor Supreme Court can fully determine what is right and wrong, meet and reprehensible, in many cases. This in itself is bad enough, but then we come to the difficulties that beset the litigant in civil as well as criminal cases from the very commencement of a suit, the chicanery and intrigues of the lawyers, the lack of energy and power on the part of the judges, even presuming all these

functionaries to be honest and learned in their profession, the vacillation and caprice of the juries, and last, but not least, the endless procrastination and appeals, resulting in the shelving of the cases, be they ever so pressing and important, by the highest tribunals of the State and Federal Government. In this respect we shall be obliged (and the obligation implies no hardship) to frequently quote France and Switzerland, in which countries justice is swift, sure, equal for all, retribution prompt and inexorable, and corruption of very rare occurrence. In justice to old England, we are pleased to add, that bribery and corruption are seldom found there in judicial and other public circles. We happened to look into the case with our own eyes, whilst investigating the different departments of the respective governments of Europe, winding up in Washington, D. C.

One immense drawback in the administration of justice in our country is the diversity of the laws in the different States of the Union. If you cannot get married in Maryland for some reason in conflict with the local laws, you go to New Jersey; if a license is refused in California to young people under age, they hire a tugboat, go to sea beyond the limits of the State, and a complacent captain performs the ridiculous ceremony. You cannot get a divorce in your own State, and you go to South Dakota, or to any other State, to obtain it anyhow. A lottery is authorized by the laws of one State, and it is considered a heinous crime in the other States to even have a poor little ticket in your possession, and so forth. Such a chaotic state of legislative affairs is apt to produce great disorder and confusion. A uniformity of the civil and criminal codes all over the country should be brought about by all means, and the sooner the better. The immense extent of our national territory, and the already too great diversity of our people and their interests, make a speedy unification of the general laws a most desirable necessity. Marriage, divorce, bankruptcy and criminal occurrences are subjects of national interest, not only pertaining to the several States, but affecting the whole population of the country. State

autonomy is quite flattering to the pride of the inhabitants of the State, but this body politic is not competent to make laws regarding the general welfare ; we have a Congress for that, and the more power is given to that body and the Federal Government the better it will be for the maintenance and security of this great Republic.

To further hinder the proper administration of justice, and to put endless obstacles in the way of litigants, plaintiffs as well as defendants, we have a class of men whose original purpose and object was and should be to aid, assist and defend the injured, the offended, the despoiled, and the unfortunate accused, to be their friend and protector before the law, to assist them with their learning, experience and knowledge of the statutes, and to protest against any arbitrary ruling or too harsh sentences by the courts. We mean the *lawyers*. Taken in this light, the profession of the lawyer would be one of the most genteel, noble and generous callings that can fall to the lot of man. The legal profession, too, is highly esteemed, honorable and respected in most countries of Europe, and also in many of the Spanish-American republics, Mexico for instance, for the simple but very powerful reason that the action of the lawyers there is well controlled and checked by wise laws and specific rules, laid down by the judiciary tribunals of the higher grades. Their number, too, is limited, the conditions of admission to the exercise of the important and honorable calling, and the preparatory and complementary studies, being by far more severe than in this country, the disgrace of malpractice, corruption and bribery more complete, the punishment for infraction more severe. This country, unfortunately, is flooded with lawyers and physicians, the most favorite professions ; and they are turned out from colleges, universities and law offices in immense numbers periodically, even before they have attained one-half of the proficiency required in other countries, and proven by public examination, before they can be admitted to practice. Moreover the statutes and rules of our courts allow the lawyers by far too much freedom in court and out of it ; they have but little respect for the honorable judge, in fact consider themselves far superior to him in learning and social position. There are many and

brilliant exceptions of course, and we have personally known some of them ; but many of our lawyers pretend to dictate to the court, show but little reverence for the majesty of the law, and very often indulge in unbecoming, disrespectful language toward their opponent, the witnesses, and even the judge himself. A fine is sometimes imposed, but seldom paid, because the offending attorney is mighty prompt in apologizing and retracting when it comes to the shekels, or to imprisonment for contempt. Speak about the "majesty of the law ;" where is it?

History shows us that in some countries lawyers were considered a dangerous and undesirable class even in early times. Thus, for instance, King Alfonso el Sabio (Alfonso the Wise), ruling over Leon and Castile from 1252-1284, issued a decree, that, *if any*, but *one* lawyer should be allowed for each province of the realm; and at the annual legislative sessions of the Basque Provinces no lawyer was permitted to approach within thirty miles of the place of meeting. This King Alfonso X, as his epithet implies, was one of those rare monarchs who cared for the welfare of his people above all other things, and framed a number of admirable laws ; amongst these a code called "Las Siete Partidas" (the Seven Parts) is the most famous. He was charged with impiety on account of his saying, that, "if he had been present at the creation, he could have given some useful hints for the better ordering of the universe."

A considerable reduction in the number of lawyers admitted to practice, and a still more considerable increase in the proficiency of the candidate and his age to qualify him, would be most desirable and conducive to the ends of justice and the public welfare.

Speaking of contempt of court, we are reminded of an incident that occurred in the court of a small town in France but a couple of years ago, exemplifying summary proceedings free from any interference or obstructions, such as are continually practiced by our attorneys. A prisoner had just been sentenced to one year simple confinement in jail for some minor offense. He quickly stooped down, took off one of his wooden shoes, and, before the guards could prevent it, threw it at the head of the judge, who fortunately dodged the ugly missile.

The prisoner was instantly secured, and the court, without any further ceremony or hesitation, inflicted ten years of hard labor on the wretch for an assault in open court, in addition to the one year of simple confinement. This is the majesty of the law, the way we should understand it.

Now and then there are exceptional cases of prompt arrest, smooth trial and immediate sentence and execution of the same, for instance, the case of the thief concealed under the bed and arrested by the unfortunate General (then Colonel) Boulanger in a New York hotel, at the time of the centennial celebration of the surrender of Yorktown.

The judicial officers in this country are elected by popular vote for a limited number of years, like so many other officials. If this is contrary to common sense and the welfare of the State in the case of the latter, it is especially so in the case of the judges, who are always nominated by political conventions and for political purposes. The stupidity of such a system is too evident to indulge in any further criticism of its demoralizing, damaging effects, than to insist with the greatest emphasis on a complete change of the respective laws in the case of the judges at least, who should not be elected, but appointed by the State authorities, subject to ratification by the Legislatures, to serve and remain in office during their ability and competency, and to be retired on half pay after a certain period of service, say thirty years, their compensation to be adequate. The same ought to be done with the other judiciary court officials, from whose ranks the bench could be supplied in case of a vacancy. The judges of the Supreme Court and lower courts of the United States are appointed for life; the system is correct and works well. These judges are less liable to accept bribes; in fact, we think such cases are very rare in a Federal court. Any one having been present at the sitting of one of these courts cannot help noting the great difference in regard to dignity, order and respect, when compared with State and municipal courts. No lawyer dare exhibit ill manners, insolent language, or pretended superiority before a United States magistrate. The majesty of the

law is somewhat respected in these courts, and why? Because the judge is not subject to the vicissitudes of popular elections; because he is independent; because he knows as much as, if not more than, the lawyers pleading before him; and because he has no one ahead of him but the Attorney-General and the Supreme Court of the United States. In the midst of the Babel-like chaos and confusion pervading the State and municipal courts, the want of respect, order and dignity displayed in these so very often, it is a consolation to see that there are some courts in this country in which such defects are not tolerated. The citizens and voters who elect our judges are mostly ignorant of their personality, and therefore not competent to make a selection. To further enhance the dignity of the bench, the judges should attend court in black gowns, and alone wear a black cap, which must be donned whilst pronouncing sentence. Lawyers should be kept in proper check, the orders of the court officials promptly obeyed, and the public excluded from the sacred *podium* of the court, and made to sit quiet, orderly and respectful, instead of going in and out like in a pigeon-house, chewing, spitting, sitting in disorderly positions, or sleeping. A courtroom in session should be looked upon in almost the same solemn light as a church service.

It is a shame and a disgrace to hear that not infrequently the counsel and witnesses in a trial appear with arms concealed on their persons; sometimes these arms are exhibited, and threats of shooting made right in the face of the judge. Why, at a recent trial in an interior town of California, there were at least a dozen revolvers displayed, and yet the judge merely requested the belligerent attorneys and witnesses not to come armed into court, instead of ordering the doors closed, the pistols seized by the officers of the court, and the insolent culprits fined five hundred, nay, a thousand dollars apiece for such violation of the rules. No wonder that the courts are treated with contempt, if such disgraceful scenes are permitted to go unpunished. Here was a fine opportunity for pouring a couple of thousand dollars for fines into the county treasury, and the respective attorneys and witnesses would have been taught an everlasting lesson.

The jury system of trying civil and criminal cases is of comparatively modern date, and ought to be the most reasonable and impartial manner of fixing the guilt or innocence of the accused, and of disposing of other cases of litigation ; but, unfortunately, this system has become degenerated, corrupted and prostituted to such a degree, that not only have the majority of the people lost all confidence in it, but its very organic defects only too often serve to defeat the ends and objects of justice, and radical reforms in this important branch are a matter of urgent necessity. A criminal very frequently escapes punishment for even the highest offenses against the law through the imbecility or vacillation of one or more jurors. The rule that a verdict must be unanimous in order to condemn or to exonerate is simply absurd. Instead of twelve men, let the jury consist of but nine, and make the vote of two-thirds of this number decisive. If a jury composed of nine sensible, impartial and intelligent men does not agree on a verdict within a term of three hours as the utmost limit, it should be discharged and judgment rendered by the magistrate before whom the case has been tried. The method of impaneling juries is erroneous, too. Every citizen in good health, who is possessed of ordinary comprehension, not convicted of any crime at any time, and who has attained the age of thirty years and not exceeding that of sixty-five, should be compelled to serve as a juror unless excused for very good and sufficient reason. Almost everybody shirks that duty, however, because the term of three months is too long. It is an encroachment on the personal liberty of the citizen to make him attend court during three long months, taking him away from his business, his family, his daily pursuits and amusements, often sequestering him in a dirty room for days and nights, parading him on the streets in charge of a deputy sheriff, and other indignities. A couple of weeks should be the limit ; any well-disposed citizen is willing to dedicate that time to the purposes of justice, and will feel proud for having done so, instead of leaving the court at the time of his discharge with bitterness in his heart and imprecations on his lips. If the jurors were polled in alphabetical order, and no exceptions made, no dubious complacencies exercised in the

cases of those who have influence and coin to grease, a juror would not be summoned again in a decade. As for the system of interrogating, challenging and rejecting jurors to the extent of selecting two or three only from a set of sixty, it is simply absurd. The proper way is to select them by lot, allowing the prosecution and the defense to reject but one juror each. It is almost impossible to find a citizen who has not read, heard or talked about a case, or who has not formed a previous opinion, especially in our literary days, when the celebrated cases are tried beforehand, and commented upon in a more or less impartial manner by the public papers and their satellites, the ubiquitous and irrepressible reporters. Prohibit such improper publicity, and you will find men who have not formed any opinions. It is likewise an error, that the law presumes every defendant to be innocent until he is found guilty; the law has no right to presume anything. If a transgressor of the law is arrested and arraigned in court, it is because he has either committed a crime, or is under suspicion of having done so, and in both cases he is decidedly under a cloud, until his innocence is proven and not his guilt; else why arrest a presumably innocent man?

There are cases, we are pleased to be able to say, when juries, impaneled on the present plan, and accepted in due form by both prosecution and defense, come up to the original purposes and expectations of the system. The writer has been a member of many juries, and has suffered the hardship of these unfortunate arbiters of guilt and innocence; but he has the great satisfaction of looking back upon his last term of three months in a criminal court, his jury being composed of rational, intelligent and impartial men, not all of whom had graduated at Cambridge University, or the Sorbonne of Paris, some of them being plain workingmen. That jury tried some thirty cases of nearly all degrees of crime, murder alone excepted. It was never out more than half an hour, and never failed to bring in a verdict, finding nearly every defendant guilty as charged, recommending several to the mercy of the court on account of the disproportion of the punishment to the offense committed, and acquitting a few only, the evidence being more than doubtful. In this connection we may add, that the forensic

efforts of the lawyers on behalf of the defendants generally produced the opposite effect on the jury from what they intended to impress. Both the judge and the prosecuting attorney were men of great legal talent and of the strictest integrity; the words of approval from their lips, and the brief eulogy pronounced by the judge upon discharging that jury, will no doubt be ever a pleasant remembrance for its members.

Jurors are only paid in civil cases, which are by far less fatiguing, disgusting and delicate than criminal trials. A criminal jury should also be allowed proper compensation, which might be suppressed in case no verdict is rendered, and the time of the court has been taken in vain. If the magistrate, court officials, attorneys and witnesses are paid, the jurors are no less entitled to compensation for their services, passive as they may be.

The object and purposes of imprisonment for crimes committed, as inflicted by law, are threefold: First, to set a warning example to others; second, to protect the community by removing from it those disposed to crime; and third, to reform the offender, if possible. Preventive imprisonment is unavoidable. The accused must be kept secure until their trial; but it is unjust and in many cases outrageous to keep an unconvicted prisoner in jail for an indefinite period before he is brought to trial. He has a right to be tried without any but the most indispensable delays, and the time passed in preventive imprisonment ought to be deducted from the term of the sentence. Our delays in bringing criminals, or, if you like, those accused of crime, before the proper tribunal, are a disgrace to free, enlightened and liberal institutions: if ten courts are not sufficient to expedite judicial business, establish twenty. The trials, too, should be curtailed, and a check put to the indefinite perorations of the attorneys, many of whom talk sheer nonsense, and only to make their clients believe that they are doing something to earn their more or less exorbitant fees. In France and Switzerland the judge himself conducts the examination of the accused, the lawyers playing

a decorous and modest part until the final argument, when they may indulge in brilliant oratory to their heart's content.

It is somewhat different in civil proceedings, there being no previous confinement of the accused, and the general public not so much concerned as in matters of public security of life and property. Still the judicial procedure in civil suits is by far too slow, and would likewise be much expedited by a simplification of the code and the proposed radical reformation of the jury system.

Our sister Republic, Mexico, is far ahead of us in many respects, not excepting the judiciary branches. To commence with, there are justices of the peace, whose province it is to orally hear the disputants in the presence of each other, give his opinion on the merits of the case, propose an amicable settlement between the contending parties, and, if this wise and economical proposition be accepted, pronounce his decision. This is called a "conciliatory judgment;" but, if the contestants cannot be made to agree, they are referred to the higher court, in which all proceedings are in writing. The judge warns them, at the same time, that further litigation would be expensive and tedious beyond their possible conception. No attorneys are needed before a justice of the peace, and the expense is a mere trifle. These primitive courts are very useful, inasmuch as they may frequently stifle big lawsuits in the bud, and settle a number of minor cases in a manner satisfactory to both parties, without leaving that deadly hatred between them, so frequently engendered by the loss of a supposed just suit.

The writer has had several suits in Mexico and in this country, all of which he won, with the difference that in the former country he did not even engage lawyers, except in one case, his cause being so eminently just that he found it easy to defend it even against the counsel employed by the other side. In one instance the judge asked him if he had no legal adviser, there being two attorneys employed by defendants, to which he replied, "that he had confidence in the righteousness of his cause and in the sagacity and impartiality of the judge." His Honor decided in his favor, and sentenced the defendant to the costs of the suit. This is another great

advantage in Mexico : the losing party has to pay, not only the whole expenses of the court, but also the other side's attorneys ; and this is but just and right. If a party is sued by another, and wins his case, which is a proof that the other side was in the wrong, why should he suffer any pecuniary damage in the way of expenses and fees not of his own seeking, but forced upon him by plaintiff? The fees of the Mexican lawyers are very moderate compared with those charged by our legal cormorants and allowed by indulgent courts. As an instance of these moderate charges we may here state, that in the only suit in Mexico in which we employed an attorney, and which for some reason was protracted for several months, this attorney's fees amounted to a trifle over fifty dollars, in addition to some twenty dollars court expenses, notary's fees and stamped paper, all of which had to be paid by the other side according to law. The legal profession in our neighboring Republic is of high standing, and, together with the wholesale merchants and the better class of storekeepers, form the aristocracy of the country. Nor do we ever see in their courts the arrogant manner of some of our lawyers toward the judges, nor hear their violent, often ridiculous, perorations, nor witness the nasty habit of browbeating, intimidating and insulting the innocent witnesses, who are called to give testimony in the aid of light and justice, and are often shamefully treated, as if they were the accused. In this respect, too, there is room for great improvement.

The retention of witnesses in criminal cases for a lengthy period because they cannot furnish bonds for their reappearance is wrong in principle ; but, when it comes to a case of confinement of half a dozen unfortunate sailors in a fortress in the harbor of San Francisco for the long space of one year, it becomes an outrage and an iniquity. The papers have taken up this subject on several occasions, but the United States officials are not ready, and simply reply, "*Dura Lex, sed Lex !*" (The law is hard, but it is the law.)

What is needed in the first instance, and what we want most decidedly, is promptitude in the arraignment of prisoners, and

speedy trials. There are of course complicated cases, wrapped in mystery, which it takes time and perseverance to unravel and bring to trial, but the immense majority of cases can and should be brought before the courts without the slightest delay, even if but for the simple reason, that the deed is fresh in the memory of all concerned, that the witnesses have had no time to be suborned, rehearsed or spirited away, and that the gentlemen of the legal profession have had no time to operate any of their legal and illegal trickery. With speedy trials justice is by far easier to exercise, and the criminal element kept in better check by the fear of prompt retribution. The following State courts would answer all the requirements of our people, and give universal satisfaction on account of the simplicity of the organization: *Police Court*, for the trial of minor offenses, and superficial preliminary examination of higher crimes to be referred to a superior criminal court; *Justice of the Peace Court*, for conciliatory judgments, and settlement of cases involving amounts not exceeding one thousand dollars; *Superior Criminal Court*, for the trial of cases referred by the Police Court; *Superior Civil Court*, for suits appealed from the Justice of the Peace Court, and suits brought directly before it involving amounts above the sum of one thousand dollars, and all other civil cases; and finally a *State Supreme Court*, with high jurisdiction over all the lower courts, to which appeals may be taken, and by which all matters must be immediately decided one way or the other. Of the United States judiciary system we will treat in another chapter.

In connection with the all-important and far-reaching question of a complete revision and simplification of our laws, an operation considered so very difficult by our wiseacres and the class that alone derive benefit from confused and intricate statutes, we beg to point out the "Code Napoléon," elaborated by the great man during the brief spell of peace allowed him at one time by the powerful monarchs whom he had vanquished and humiliated, instead of destroying them at once in the interest of progress and enlightenment, and who did not rest until the great victor had in turn been subdued and reduced

to impotence. The "Code Napoléon" embraces in brief phrases, clear and concise language, all that is needed by any nation for the preservation of order and proper exercise of justice,—a work of his genius more lasting and beneficial than all his splendid victories. Why not use this famous, incomparable code, and take from it, if not all, such parts as are suitable for the United States of North America? National pride and unwarranted conceit alone would perhaps prevent it.

In the same manner, following the footsteps of our cousins the British, absurd and stubborn in this respect, we have declined to introduce and enforce the Metric system of weights and measures, the only infallibly correct method, leaving alone its scientific basis, which is the circumference of the earth on the equator. The Metric system was the child of the French revolution. France was the mother of ours in the revolutionary period, and became our daughter in turn, when the great champions of American independence returned home and diffused the spirit of liberty in France, resulting in the overthrow of a rotten monarchy and its coherent evils. Our relations with France have been and are most friendly, and there is nothing humiliating in the slightest degree in adopting that which is superior, and has been introduced for thirty years back in almost every civilized country in the world, even by Germany, which country cannot be accused of over-tenderness for France. There is hardly a republic on the American continent that does not possess the Metric system. In some of them it had to be introduced by forcible means, the ignorant as well as many of the upper classes being so inveterately accustomed to their old pounds, yards, and liquid measures.

When quite a young man, during his sojourn in Mexico, the writer was intimately acquainted with the Governor of one of the principal States of that Republic, and had the honor of being frequently consulted by that enlightened and progressive gentleman, who, by the by, was of the legal profession. When a decree of the Federal Government was published, ordering the immediate adoption of the French Metric system, the merchants, tradespeople and artisans paid no attention to it, and continued to use the old Spanish weights and measures. The aforesaid Governor mentioned the subject to us, and

expressed his disgust at the stupidity of the people in resisting such a beneficial decree. We advised him to employ an heroic remedy, send to the capital for a sufficient supply of Metric weights and measures received from France at the time, and, without previous warning, march a squad of soldiers in charge of a civil employee to every store and shop in the city, take up all the existing Spanish measures, and give them the Metric measures in their stead, for which they were charged the cost, whilst the old measures were destroyed. Printed instructions accompanied the exchange. The threats of heavy fines and imprisonment for any person continuing to use the old system were sufficient to insure prompt obedience to the new law, to the great benefit of the population. In the United States, at least, we have the option of the decimal system ; but the British still adhere, alike to the stubborn octopus, to their pounds, shillings, pence and farthings, etc.

Again referring to the prolific and tediously unnecessary verbiage in the text of our laws, the decisions of the courts, the briefs and other written proceedings, and the legal forms required here, we beg to translate a recent decision of the Court of Appeals of Paris in the case of an appeal by the son of a rich refiner from the judgment of the Civil Tribunal, by which a so-called "judiciary council" had been given to him, at the instance of his widowed mother, to put a stop to the profligate habits and reckless expenditures of her son. Said decision of the Court of Appeals, beautiful in its conciseness and absolute clearness, reads as follows, viz. :

"The Court, considering that the judiciary council is a measure of precaution, which leaves to the person thus restrained the disposal of his revenues ; that this measure is only taken in cases where the spendthrift dissipates his revenues and attacks the substance of his patrimony ;

"Considering, in fact, that the fortune of Mr. M. L. amounts to more than twenty-seven millions, and that his income since the death of his father has amounted to nearly one million three hundred thousand francs ;

"Considering that the widow, Madame L., has not been able to prove that her son's expenses have even attained one-half of said sum ;

“Considering that if the maternal solicitude of the lady has been moved by the nature of certain engagements made by her son, and the compromising surroundings accepted by him, it is but equitable to admit that he was of an age in which the law presumes him to be incapable of defending himself; that he had been left to himself even before the death of his father; that since then he has not received the direction he was in need of; that he had even been removed from the maternal domicile;

“Considering, overmore, that for the past year M. L. has been dedicating himself to the exercises of sport, the expenses of which are not disproportionate to his income; that it is hoped that he will know how to profit by a dearly bought experience, and lead an existence in conformity with his social rank;

“Considering, finally, that it is impossible from a legal standpoint to qualify as prodigal the expenditures with which M. L. is reproached :

“For these reasons, declares M. L. entitled to his appeal, sets aside the judgment appealed against, and declares the widow L.’s demand for the appointing of a judiciary council unfounded, and condemns her to the costs.”

This ended the matter; from the Court of Appeals there is no appeal. Twenty-seven millions would have been a feast for our lawyers. There would have been no end of litigation for years to come,—alleged insanity of the son, imbecility of the mother, new trials, endless appeals, and all the other kindred legal and illegal trickery, such as we are doomed to witness almost every day, until the cow is milked dry and the arsenal of subterfuges exhausted. In France and other countries such acts of spoliation are not tolerated.

It may not be out of place to mention another French court, called the “Court of Cassation.” Every condemned criminal has three days, after sentence has been pronounced, to make an appeal. This appeal, however, is not a privilege in the American sense of the word: its purpose is simply to demand, of the highest French jurisdiction, if all the necessary judicial formalities have been observed. The Court of Cassation has nothing to do with the facts of the case appealed. In this

respect the jury alone is competent to pronounce ; but if there be found any violation of form, either in the sentence of the lower court, or in the course of the procedure, the Court of Cassation may annul that sentence and remand the accused before another jury court for a new trial. This, as a matter of course, refers also to civil proceedings. If the Court of Cassation rejects an appeal, the criminal has no other recourse left but the clemency of the President, and, this failing, the patient is executed immediately. Whilst the code allows but three days within which to sign an appeal, no limit of time is imposed on the President for his decision.

This prompt execution of the sentence is what we cannot help admiring. In this country the execution of the "patient" is often deferred for months, and all sorts of tomfoolery resorted to by his lawyers and friends to stay it even then, which we consider "cruelty to animals," a murderer being nothing but a brute. The pardoning power should be taken from the Governors of the different States, at least as regards death sentences. These men are not supposed to, nor can they, know more than the courts, judges and juries, and their religious scruples or tenderness of heart often places them in a very unpleasant predicament, it being in their power to save, or not to save, a human life, however unworthy it may be. The pardoning power should alone rest with the Supreme Court of each State, and then the moral responsibility would not weigh on the conscience of one single man. General Dix, when he became Governor of the State of New York, saw the pardoning matter in this light. In his inaugural address, a masterpiece in its line, he expressly said : "Let no one come to me with any petition for the pardon of any criminal ; I do not consider that I have the right of pardon, and will not listen to any appeal." And he did not. We still have some public men of unflinching, sterling principles, shining like beacon lights among the vulgar masses, but unfortunately not enough of these. It is no less a consolation to know that there are some towns in this country where crime is of rare occurrence, and we cannot refrain from citing here the proud though singular fact, that the twenty thousand inhabitants of Butte City, Montana, are

of such a peaceful and honest disposition that the police and courts have had almost nothing to do of late, and are not making expenses. In the police court of that remarkable city, business had become so slack in January, that the fees and fines amounted to but \$48, and the revenues of the city are injured thereby. Butte City must certainly be inhabited by a rare community of righteous men.

During his recent sojourn in Switzerland the writer visited several prisons, and was particularly struck by a penitentiary for lighter offenses near Lucerne, consisting of a model farm owned by the municipality, which has no fence nor inclosure of any kind, nor could we see any guards on the ground. There were some eighty or a hundred prisoners scattered all over attending to the field, garden, cattle, etc., dressed like ordinary people, and appearing to be simple farm hands working for wages. There is one long, two-story building, in which the prisoners are only locked up at night, and even this building has no iron grating on the upper windows. It would be easy for any prisoner to make his escape, but he knows well enough that he would not be long in being recaptured, because he would have no resources, and the people would discover and arrest him very quick in such an orderly, best regulated, though thickly populated country. In the larger cities of Switzerland even policemen are rarely seen. Everybody knows his rights and his duties to an astonishing extent.

Some years ago the death penalty was abolished in Switzerland, but it was soon found necessary to re-establish it. Italy would do well to do so likewise, for in that country atrocious crimes are far too frequent, there being no fear of execution. And why should the death penalty be abolished anywhere? Voltaire said: "Executions are unfortunately necessary; crime must be frightened." The assassin must be done away with, were it only for the purpose of protecting the community, and even the prisoners in jail, from a relapse. On the contrary, the murderer ought to suffer a more severe penalty than that of simple, humane execution, if his crime

has been attended by particularly heinous and atrocious circumstances. In such cases the ancient punishment of the long-term gibbet, the rack and quartering would be the proper compensation. In different countries there are different methods of execution,—strangulation, beheading by sword or ax, the guillotine, etc. The Spanish collar (“garrote”) is about as neat a process as can be found; the guillotine is swift and sure, but accompanied by too much bleeding and the ghastly sight of a headless trunk and a trunkless head, which are thrown into a basket full of sawdust and carted away to the cemetery, from which the remains are generally transferred to the medical schools. Condemned murderers ought to be served with a certain dose of lashes during one week previous to their doom, and then executed by the process of *drowning* in the same manner as impounded dogs, or exceptionally atrocious cases handed over to the medical faculty for “vivisection” in the interest of science. It happens frequently that a murderer, or other criminal, is acquitted on the plea of emotional or temporary insanity. The least that should be done in such cases is to consign him, or her, to the insane asylum to prevent a repetition, and not to set him, or her, at liberty.

In no country under the sun do we find such sickening sympathy for criminals sentenced for murder and other high crimes, as in this country. This abnormal and inexplicable affection on the part of strangers for such criminals is mostly confined to women, strange to say. Flowers, delicacies, sympathetic letters, and other marks of devotion, are things of frequent occurrence; some women even fall in love with and marry a condemned murderer on the eve of the execution. When a man is in prison under sentence, he loses his civil rights, and, even if he is entitled to some sympathy under certain circumstances, he should not be permitted to receive any callers but his nearest relatives and his counsel; much less should the law tolerate the performance of any marriage ceremony in prison, or any other civil performance, to which a criminal has forfeited all rights and claims.

This reminds us of the subject of bonds and bail. Bonds may be appropriate in criminal cases to insure the appearance

of important witnesses, not otherwise to be trusted, and, in all civil cases, to guard against trickery, doing away with property, or to hold litigants responsible for damages and the payment of findings by the courts. Bail, however, for any offense beyond simple battery, drunkenness, or other trifling misdemeanor, is an outrage to common sense, an act of injustice and of partiality in favor of the man of means, who struts about at liberty pending his trial, against the proletarian, who, for want of means, must remain in jail. The bail business is an outrage incompatible with our free institutions and the equality of man. In this respect, at least, let there be equality before the law; let no guilty man be favored or shielded because he happens to be possessed of means. The bail business (we purposely call it "business") does more to thwart the ends and objects of justice, represented by the courts, than corruption, collusion and fraud combined together. The bail system should be immediately modified as above indicated; every honest and sensible citizen will say that we are right in this respect also. On the other hand, we repeat that the accused must be brought to trial with the least possible preparatory delay required for a proper prosecution. The accused is entitled to a speedy trial, and liberation if acquitted, and the ends of justice are accomplished thereby with greater security. We have visited several prisons in different sections of the country, and have but little to say in comment; in a number of them the treatment of the prisoners and the discipline are not severe enough, considering the magnitude of many crimes. The United States have a number of islands on the Atlantic as well as on the Pacific Coast, those of the latter being more remote from the shore, larger, mountainous, and less accessible than the Atlantic islands. Penal colonies ought to be established on some of these islands, especially on those of the Pacific Coast, where the expenses of keeping them would be trifling, and the presence in our midst of a crowd of prisoners thus avoided. Every country has the inherent and undoubted right of expelling obnoxious foreigners, if not that of exiling its own citizens. This right of expulsion should be exercised by our Federal Government much more frequently; we would thus be rid of at least the foreign criminal

element. Sentence a forger, for instance, a convicted anarchist, etc., to say ten years' hard labor, with expulsion from the territory of the United States at the conclusion of the term. Such a measure would strike the criminal element with a wholesome terror. By the word "foreigner" we mean those not admitted to citizenship, because those who have been naturalized, and reside in this country, are entitled to all the rights and privileges of the native-born citizen, except the ability to become its chief magistrate. It is alleged, though, that one of our Presidents was of foreign birth.

There is a very pretty law in Mexico which provides that no person has any business or legal standing in court unless he has paid his current taxes. Among the first questions asked by the judge in open court is this one, "Are you solvent with the public fisc?" If you are not, you better march out of court, and no lawyer can help you if he would. It is a good way of enforcing the payment of taxes so frequently shirked by our wealthy even, who resort to false swearing, ambiguities, subterfuges and direct fraud in many instances to reduce or avoid the payment of taxes altogether; nothing is done to them by the indolent and frequently conniving authorities. Defrauding the State or Federal Government is as much a crime as is the defalcation of a bank cashier, and should be severely punished; in most cases, however, the culprits are allowed to slip through, if not mulcted in a nominal amount. The punishment of petty larceny and common theft, in fact of nearly all trifling transgressions, by our codes, is too severe, whilst the greater criminals, the forgers, embezzlers, internal bank robbers, and all criminal transactions by those connected with money handled in some way by the accused, are dealt with in a much more lenient manner; thus has it become a proverb amongst our people, that the small thief is hanged and the big robber allowed to go free. Now and then an unscrupulous political boss, a jury-briber, a defaulter, a swindling banker, is made an example of; but such cases are so rare that they only serve to illustrate the rule.

The want of jurisdiction, the endless procrastination of justice, the doubtful findings of court and jury, and the fear even of final acquittal of red-handed criminals, are the causes of the frequent cases of lynching resorted to in this country. In truth the people cannot be blamed for such summary process, which has the advantage of a sure verdict, prompt execution, and a host of trouble and expense saved. If the present loose condition of judicial spheres is not speedily altered, more summary proceedings of this kind will undoubtedly be resorted to, until our lazy and incompetent legislators become alarmed and apply the necessary remedy, which is the purification and simplification of our laws and courts of justice of all degrees, not excepting the so-called Supreme Courts.

III. LEGISLATION.

LEGISLATION signifies the power to frame laws for the government of the people. In ancient and even more recent times the law was the work of one man, such as Moses, Solon, Lycurgus, Charlemagne, Charles V., down to Napoleon the Great. These individual laws were often superior to those made by bodies of men, perhaps, as Montesquieu says, "because two or three intelligent men may sometimes be able to agree on a rational proposition, but more never." It is not our province here to enter into an analysis of the many laws that have been promulgated since the remotest time, of which we have any records. Some of these laws were excellent, to wit, Moses, whose simple code, consisting of but ten articles, comprises everything required in principle, and even now prevails as a basis for all rights and obligations; some were execrable and lasted not; others too severe, like Draco's, or too lenient, like Solon's. Laws are necessarily subject to alteration at some time or other; if the necessity for a law ceases, it becomes obsolete, even if still on the code, or it is no longer observed, by tacit consent. Such laws should be repealed and stricken from the already too prolific tables. Too frequent tampering with the statutes and regulations of a State, community, or in fact of any organization, is unwise and dangerous, as it will produce a feeling of instability among the governed; and this very feeling causes the law to be partly deprived of the majesty that should surround and guard it. In this respect we have endless troubles and difficulties in this country. The laws are not devised, reviewed, digested and promulgated by the oldest, the wisest, the most incorruptible, the most honorable and the best of our men. The beneficial action of these is generally paralyzed by the narrow-mindedness, prejudice and ignorance of the majority in our legislative assemblies; and, if these really can agree upon some rational, necessary and beneficial

measure, it is generally after long, absurd debates and meaningless perorations extending over a lengthy period.

The people (we mean by this general term the electoral citizens) have it in their power to completely alter such a stupid state of affairs in a great, powerful and free country like the United States of North America. (We purposely add the term "North America," because there are other United States on the American continent besides our own, namely, the United States of Mexico, the United States of Colombia, and the United States of Brazil.) The matter is simple enough. All we have to do is to elect only those to sit in the State Legislatures and Federal Congress who are *duly and truly qualified* for the exalted and most important trust. Our primary elections are generally in the hands of political party bosses, of men who are not entitled to such an influence, or of browbeating, vulgar and ignorant braggarts, who impose on a passive audience and nominate those that often are the least fitted to enter the portals of our legislative halls in the sacred role of legislators. Not until a number of those who betray their trust in the State assemblies and in the national Congress have been severely taken to task on their return home at the end of their term, can we rely on honest, prompt and useful legislation. In the same manner in which a candidate is made to state his views, intentions and principles before his election, in exactly the same manner should he be called to account on his return from the session, if he has betrayed the sacred trust of the people and has become an apostate to the principles set up on his platform.

The people of the United States are tired of incessant party struggles and the harassing changes brought about by the frequent elections. Especially is this the case with the so-called Presidential elections, the approach of which is heralded already a whole year in advance and causes intense excitement, neglect of business, needless, extravagant expenditure of funds collected and donated by the foolish and the ambitious, any amount of libel and slander and stupid attempts at literature in our public papers, the tendency of which depends entirely on the amount of shokels at their disposal, the wages of political prostitution. The people, we say, do not want any more

fratricidal struggles in politics ; they want to march together on the road to reform and political purity. *Our representatives should have the interest and welfare of the greatest number at heart ; they should endeavor to enlarge, not to restrict, the political horizon ; unite instead of dividing ; set the example of respecting the laws they have made ; make the courts of justice independent and inviolate enough to merit the respect of all honest people ; study and solve all social questions without provoking the suffering classes to feelings of hatred and vengeance ; respect sincere and honest convictions, and treat with becoming rigor all those who believe themselves superior to the generality of men on account of casual riches, or usurpation of powers not belonging to them by right and concession. Such are the qualifications of a good representative of the people in the State and national councils, and none others should be elected.*

Above all let us get rid of the unceasing conflicts of jurisdiction and of authority ; in the midst of these no one is willing or has the courage to assume any responsibility, and chaos is the result in our public affairs. The last resort is generally to attack the constitutionality of the laws, as if two houses of a Legislature and the Chief Magistrate did not know more about such a subject than the insignificant lawyer who alleges unconstitutionality of some statute obnoxious to his client. The disgraceful conflicts in the Legislatures of several States of the Union, and the dangerous tendencies toward arbitrary action on the part of several Governors, are still too fresh in the memory of the reader to further mention them in these rapid commentaries. Why have we the so-called Supreme Courts ? What does the term "supreme" imply but *the highest*,—nothing above and beyond ? All conflicts of authority, questions of jurisdiction, and doubtful interpretation of the statutes should be *immediately* brought before the proper Supreme Court for an *immediate* decision, injunction or suspension, until such question shall have been definitively settled by legislative action. Such matters as are purely local and concern a State exclusively must be laid before the Supreme Court of that State ; and all subjects concerning the relations and intercourse between the different States, and belonging to the sphere of the United States authorities of all branches, as a matter of

course should be subject to the jurisdiction of the United States Supreme Court. The honorable members of that most august tribunal in the whole world are, and, if they are not, ought to be, so well learned and proficient in all branches of legislation and jurisprudence, that they can render a decision "*incontinenti*," that is to say, *immediately*, without any delay or hesitancy whatever. This, of course, applies also to the Supreme Courts of the States. No case of any nature whatsoever ought to remain in abeyance in these courts for any period beyond a week or two.

Neither is it necessary to write lengthy opinions still more complicated and incomprehensible than many of the cases themselves. It is not *opinions* we want; it is *decisions*, the *prompt, final and conclusive* winding up of *all pending questions*. It takes from six months to three years before a case comes up for hearing before a Supreme Court, and then it may remain buried there for an eternity. Is not this a monstrous outrage? Can there be no end to litigation? There is another serious defect in our Supreme Courts, and that is the singular and stupid manner in which the decisions are rendered and published. When a case goes to the Supreme Court it is accompanied by a transcript, written or printed, of the proceedings, complete, in the lower court. Nothing else is needed, and no attorneys should be allowed to have any connection with that case, nor interfere with it, directly or indirectly, in any manner whatever, except it be that the court itself summon them for information. The papers must be taken in hand immediately, and the decision rendered without any delay further than that absolutely indispensable. The decision must be announced as "*the decision of the Supreme Court*," and not as the decision of a majority of its members, as is so often the case. What does it matter to the people in general, what to the litigating parties, if five of the judges are of one opinion and four of another? The majority decides the case, and a decision is all we want, nothing more and nothing less. The nonsensical practice of writing and publishing the opinions of both the majority and minority of the members of the Supreme Courts does more to bring those bodies into contempt than any of their other organic diseases and defects. An appellant has, for

instance, a case in a Supreme Court involving the loss or gain of three hundred thousand dollars, which has been hanging fire for the usual five years. A "hearing" (it should be a "reading" by rights) is reached at last, and a decision rendered adverse to his claim. Mr. Justice A, B, C, D and E concur in an opinion, which is generally written out by one of these brilliant legal luminaries in a prolific, incomprehensible and chaotic style. Mr. Justice F, G, H and I dissent, and one of their minority number also dilates on their view of the question in no less ridiculous jargon. Will not the defeated litigant very naturally think that the right of the other side has not been sufficiently established by one single majority vote, and that he has been the victim of a judicial error or prejudice, if not worse. There is no appeal from the decisions of the United States Supreme Court, not even to Divine Providence, the latter being but the platonic recourse of prayer; and this august tribunal must be surrounded by all the prestige and awe that alone can render it *supreme* in the full sense of the term. The concurrence or dissent of the different members of the Supreme Courts are matters that do not concern the parties interested and the public; they do not vitiate or affect the decision by any means, and should not be made public, but kept in the private records of the tribunal, inaccessible to any outsider. The Supreme Court (as one body and one soul) must render its decisions without any further explanation or humbuggery, and that ends the matter forever.

The legislative assemblies of the different States generally consist of two bodies, the Senate and the Lower House, the latter bearing different titles in the several States of the Union. Bills for legislation may originate in either house, but require the sanction of both and the approval of the Governor to become laws. Bills sent from one house to the other are in most cases amended, returned, re-amended, and again returned half a dozen times, and much precious working time is thus lost, the expense coming out of the people's pocket. This interchangeable bill business of two houses reminds one

forcibly of the celebrated game of shuttlecock. There is endless oratory, brainless speechmaking, lobbying, intriguing, buying and selling, obstructing, filibustering, procrastinating, absenting, abstaining from voting, and general apathy, all alike subversive of political morality and apt to bring the Legislatures into contempt, barring their inutility.

There is no necessity for any Senate in the State organizations; on the contrary, such bodies only contribute to hinder prompt and rational legislation. It is different with the Federal Congress, where a higher body of that kind may be useful on account of the vast amount of executive business sent in by the Government during the sessions; but in a simple State Legislature a Senate is superfluous as well as detrimental and expensive, and ought to be abolished. An assembly of representatives of the people, lawfully elected by absolutely pure and secret ballot, is sufficient for all purposes such as the household affairs of each State. These bodies should meet as seldom as possible, say every four years, and not be permitted to sit longer than three months. In this way the too frequent disgraceful spectacle of wrangling, incompetent assemblies will be spared us, and less harm will be done, not counting the economy in the expenses of the State.

The veto power of a Governor, too, is an anomaly in flagrant contradiction with free institutions and the principles of democracy. The only attributes of a State Governor in this respect should be the faculty of returning a seemingly obnoxious measure to the assembly, with his brief and sensible commentaries and a polite request to give it further consideration, and no two-thirds vote should then be required to pass such a law a second time, but a simple majority vote. A State Senate, moreover, considering the system of permanent employment of officials no longer subject to the caprices of political changes, would have no object and no real work to perform. The United States Senators could be elected by the single assembly just as well. As to these exalted dignitaries, it is doubtful whether the electors in general know the candidates sufficiently to be able to make the proper choice; but the more limited assembly may and in fact have by far greater facilities for investigating them. The public can only be misguided by

the interested newspaper articles, the bragging speeches of the candidates and their supporters, and the prejudice of the parties. Bribery in private is a grave offense, but bribery in elections is still more reprehensible ; and any individual discovered in such practices, whether it be the anxious candidate or the venial assemblyman, should be punished by at least twenty years at hard labor, and be forever deprived of civil rights, be he the most powerful, influential and wealthy in the land. We lay stress on this because it is an undisputed fact that a number of successive Senators in certain States have purchased their seats for hard cash, often distributed in a fearless and impudent manner. In these cases the motto, "*Honi soit qui mal y pense*," would be ill employed.

The Federal Government of the United States has exclusive control of the import duties, the internal revenue, the coinage of money, the lighthouses, the life-saving stations, the navigable lakes and rivers, the foreign policy, the postoffice, and the army and navy. The writer has had a pretty complete insight into all these branches, and has found them managed with care and honesty. As to the system of accounts kept by the Government, it can hardly be surpassed in any country. A most rigorous scrutiny of all accounts is kept in the different departments of the Government. There is not an account, however trifling it may appear, that does not go to Washington, and no error, no discrepancy, can possibly escape the close scrutiny of the auditors of the Treasury at Washington, where the different accounts are all received periodically with their corresponding vouchers. From the auditors they go to the comptrollers of the Treasury, two in number, who again examine them with the greatest care, and with a minuteness as to origin, object and technical execution to an extent that renders error difficult and fraud almost impossible. How would it be if each State were to manufacture its own money, have its own independent military and naval forces, its own postal department, etc.? The disorder, confusion and robbery would be something appalling, and the mere thought of it

makes every honest man shudder. Now, if the Federal Government can thus be safely intrusted with these all-important national branches of the administration of the whole country, and does it to the satisfaction of the nation, why not confide to the Federal Government the control of *railroads* and *telegraphs*. Both are as much national institutions as are the Postoffice Department, the mint, and the army and navy. The sooner Congress provides for the gradual purchase of the greater railroads and of all the telegraphs the better it will be for the welfare and happiness of our people. In our humble opinion this measure is of the greatest importance, and only those few who are personally interested in the present condition of things will entertain a contrary opinion, and work with all their might to prevent the transfer of railroads and telegraphs to the Federal Government, where they belong and should ever remain. The measure works very well in many European States, where we have seen and examined it closely with our own eyes. As long as the railroads and telegraphs are in possession of private individuals and powerful corporations of unscrupulous and scheming men, so long will there be immense fortunes, excessive charges and oppressive treatment of passengers, with high rates of freight to crown the mighty extortion. The Government can and will run the great roads on such terms and at such rates as will forever insure equitable management, and leave each fiscal year a respectable profit to the national treasury, by virtue of which other burdens of taxation may be removed from the unfortunate community. If one line does not pay, but is necessary for easy transportation and communication between certain regions, the other lines will amply supply the deficiency without any necessity of suspending the operation of the former, as is done under the existing condition of affairs. Our millionaires and railroad magnates have already reaped a more than sufficient harvest since the hundreds of roads have been built and operated; let the General Government take them in hand now, and the saying, "The people be d——," will certainly not be repeated.

Speaking of our American railroads, we must admire the enterprise and perseverance of those who planned these

gigantic constructions; but they were not built to benefit and accommodate the people, to facilitate transportation of freight and promote communication; they were executed exclusively for the benefit and pecuniary advantage of the owners, not for any other purpose. Competition, as a matter of course, and the necessity of catering in some respects to the wishes of the traveling public, imposed the duty of providing fine cars, coaches and sleepers; but the traveler is nevertheless treated with contempt, and his real personal comfort is a matter of secondary importance. Some Eastern railroads are well constructed, solid and comparatively safe; when, however, it comes to as complete and perfect management as we have seen in Europe almost everywhere, there is a great deal yet lacking. The tracks are not carefully enough laid, and, what is worse, not sufficiently guarded. The ties in this country are not imbedded entirely in the ground, as they should be, because the interested railroad people say that they will not rot so fast overground. Why do they not rot any faster on the European roads, where only the rails are visible over the earth, and the bed is nicely graveled and sanded, a process that will allow any obnoxious object to be distinguished a long distance ahead. Wherever the Government owns or controls the roads, a sufficient number of guards are employed, who are stationed at certain short distances, occupying small dwellings especially erected for them and their families, whose duty it is to walk over their section of the road at certain intervals, and give warning of anything out of order. These people also attend to closing the barriers at the crossings of all roads before the passage of trains, and this constant care and watchfulness contribute not a little to the great security one so hugely enjoys on the European railroads. Accidents, on the other hand, are liable to happen everywhere, but they are quite rare on the old continent. The railroads in Switzerland are a model in this respect as in every other. After nearly forty years of comparatively few and unimportant accidents, there came in 1891 two awful catastrophes near Bâle and Berne, on the occasion of the six hundredth anniversary festivities of Swiss independence, when an overloaded train of excursionists fell through a solid iron bridge with two heavy

locomotives attached to the head of the train near the former, and a collision took place for similar reasons near Berne, both resulting in the horrible death and wounding of hundreds of unfortunate tourists. Here again the exception makes the rule. Corporations in our country will reduce the number of employees as much as they possibly can, regardless of the safety and comfort of the passengers, because there must be dividends, and good dividends too. A government has no such propensities toward economy and will employ the requisite number of men, clever, temperate and trustworthy for the better advancement of the service. This is another reason why the Government should be the owner or at least strictly superintend and control the management of all railroads. There are a number of roads that have failed to pay their indebtedness and taxes to the Federal Government; these roads should be at once seized, held and run by it on its own account. There are Federal and State railroad commissioners, but these are not invested with sufficient powers, and not infrequently connive with the owners of the roads, thus fooling the people and the Government, which amounts to the same thing after all.

Our American cars are too long and heavy; they must bear with tremendous force on the good staunch rails and the more or less badly constructed roadbeds. Go to Switzerland and examine their neat and cosy cars, and do not find fault with them on account of their exterior plain and modest appearance. In nine out of ten of our cars it requires a herculean force to open a window; somehow or other they are always tight; not so in the Swiss cars, where you can graduate the opening from the top down, which is infinitely more handy. The conductors and brakemen are quiet, serious and exquisitely polite, and the passengers are subject to rules and restrictions conducive to mutual comfort; and, if they were not, the naturally courteous behavior of the public there renders the intercourse easy and agreeable. The first and second classes of cars are very fine and comfortable; the third class has wooden backs and benches, but will do for short trips in summer. The railroad depots are monuments of art, beauty, order and comfort for the public as well as the administration; even the

smaller road stations have an air of neatness and solidity about them, being generally ornamented with plants and shrubbery, that are very pleasing to the eye.

Marriage and Divorce ! Two extremes of bliss and despair ! There is no country under the sun where the marriage ceremony is looked upon with such cool indifference, and where the sacred bonds of matrimony are so wantonly and easily severed, as the United States of North America. People get married on the spur of the moment on the slightest provocation ; all that is required is to swear that you are of age, get your license and go before a minister of any denomination, before a justice of the peace, or a sea-captain, who will splice the knot. In the same loose and flippant manner is the marriage dissolved, and you are at liberty to make another and half a dozen experiments.

The people are not so much to blame for this shameful state of affairs as the legislators, who have framed absurd marriage and divorce laws, under the rotten pretext of personal liberty of action, that are a disgrace and outrage to a great nation like ours. Better abolish the formality altogether and live like other animals ; it would be less hypocritical and scandalous than the present system.

There is nothing more sacred and important on earth, and consequently with more reason in a civilized and well-regulated State, than the lawful propagation of mankind, governed by the proper statutes and formalities. Such laws, to be general and uniform for all the States of the Union, should be framed at once by the Federal Congress, and the sooner the better.

We will, for the sake of a praiseworthy example, cite the Civil Courts (" Registro Civil ") of Mexico. These are special courts established in each district for the exclusive purpose of registering all births and deaths and performing civil marriages in a proper and legally formal manner. Within three days after the birth of an infant it must be reported in the respective court (not in a miserable health office), in the presence of the father and two witnesses ; this report is placed on the records and a certificate issued of the act, so that every native inhabitant

of the country is registered in court and can be readily identified. Deaths must be reported in the same solemn manner, and are entered on the corresponding register to cancel the entry of birth. The civil marriage ceremony is still more complex, and surrounded by every possible guarantee. In the first place the contracting parties must be of legal age and prove it, too, not by a dubious oath, or hearsay, but by positive testimony; they must have the consent of their living parents, or, in lieu thereof, of their guardians, or nearest relatives; there must be no impediment of a previous binding nature, and, to make doubly sure that there are no such impediments, the names of the candidates for wedlock are posted up on the public square for forty days. After all these requisites have been complied with, the civil ceremony, which is the only one recognized by law, is performed by the judge, in court or at the residence of the parties concerned, and the proper certificate of marriage issued. With this certificate the couple can go to church, if they choose, and be married in accordance with their religious creed. A heavy penalty and imprisonment is imposed on any clergyman celebrating a christening, marriage, or funeral, without the presentation to him of the corresponding certificate from the civil court. As a matter of course, all these formalities are subject to fees, but it is but right that those who are born and die should pay for the privilege, leaving alone those that get married. It will thus be seen that the very formalities of the law, the time that elapses between first acquaintance, engagement, and the final elaborate ceremonies, contribute immensely to impress the contracting parties with the solemnity and vital importance of the act, which they consider as binding and indissoluble. Add to this the absence of divorce from the dogma of the Catholic church, and you will admit that marriage in Mexico is no trifling daily affair as in this country, but a serious, binding and lasting institution.

We have cited the example of the neighboring republic because we are only too apt to depreciate the institutions of that country, whilst, on the contrary, we could go and learn a great deal from the Mexicans. The same or similar laws are in force in France, Switzerland and other civilized countries. It is very strange indeed that there are not regular legal

registers kept of every man, woman and child born and living in the United States. The identification of the individual for all ordinary and legal purposes, as well as in certain contingencies, is of great importance, and can be much better and more easily procured from authentic records than from the doubtful habit of swearing to everything. The judicial oath in our country becomes almost worthless on account of the frequent, barefaced perjury practiced, and which is rarely, if ever, punished. In ancient times the right hand was stricken off as a slight reminder of the gravity of a sworn statement. Much of what appears to us barbarous, cruel and incompatible with modern ideas of civilization in the centuries past could be again resorted to nowadays with beneficial results for the community.

Uniform divorce laws for the whole United States of North America are most urgently needed, allowing no divorce proceedings to be even commenced in any court but for good and valid reasons, such only as adultery, real and absolute cruelty, abandonment for the space of three years, or criminal impeachment. Nor should the party against whom a decree of divorce is given be allowed to remarry, nor either party be permitted to marry again under any circumstances before the expiration of one year. Adultery should be punished by fine or imprisonment, or both, according to the gravity of the case. Parties marrying under age without parent's or guardian's consent should be imprisoned, the marriage declared void, and they should not be released until of legal age. It is understood that no marriage license is to be granted except on the severe but just conditions above mentioned; and any person, be he priest, minister, rabbi or dervish, who consents to perform a marriage ceremony without presentation of such license, should be arrested and punished by a heavy fine and imprisonment of at least one year. In this manner and in no other can the demoralizing evil of hasty, flimsy and stupid marriages be rooted out permanently, and the solemn and beautiful act of marriage be restored to its proper dignity. Children born outside of legal wedlock should not be permitted to inherit, otherwise they are placed on an equal footing with legitimate children; exception could be made in cases where

illegitimate children are formally recognized by their father in the civil court. Speaking of adultery, we would refer our readers to the "equestrian" punishment meted out to female culprits in old England but a few hundred years ago, in which a donkey played a conspicuous part. The crime in our days is considered fashionable, and hardly ever punished in this country.

We will allow women, in consideration of their physical weakness as compared with man, every possible privilege and courteous consideration; but woman must remain in her proper sphere, which is the household and the home, not the office, the type-machine, the telegraph, the practice of medicine, and other scientific and business pursuits in which they are entirely out of place and unsex themselves. There are in this respect, as in every other, exceptions to be made, but they should be few. The wrangling and bragging about the "rights of women" is all bosh. Any woman who behaves herself properly and attends exclusively to the not very easy cares and management of her home and household, be it that of her husband, or her parents, or her brothers, is entitled to all the rights and privileges her sex confers upon her in the natural course of things; those women that go beyond that sacred and time-honored sphere render themselves subject to criticism, ridicule and often even contempt. We were present at the Woman's Rights Congress held in Madison, Wisconsin, in October, 1879, by invitation of Governor Smith, and enjoyed the female oratory hugely, although the nonsense developed on that occasion on the *podium* made us feel pity for the deluded ladies in the midst of our hilarity. If our ladies desire absolute equality with and independence of man, let the champions of woman's rights and their deluded sisters found a great woman's State in some of our empty territories, to the entire exclusion of the stronger sex, and try the experiment of independence. Although we write this in a bantering spirit, we are really in earnest and cannot help foreseeing the dangers of the pretended female emancipation and the consequent destruction of the family system, which has

reigned uninterruptedly for thousands of years to the satisfaction of all concerned. It is fortunately but a certain and limited species of women who advocate emancipation ; the immense majority are still all right.

If woman's proper sphere is in the household and the home, that does not mean to imply that she should pass all her time at the washtub, the cooking stove and the sewing machine. Many are so fortunate as to have one or more servants, who perform the rougher and more disagreeable part of the domestic work ; in that case the presiding lady of the house may take it easy, and her conscience remain all the more tranquil, as she renders material aid and assistance to her less fortunate sister by paying her wages and giving her a home, things also to be much appreciated by these latter.

Anarchism, the nefarious doctrine of indiscriminate destruction of life and property, the apology of murder and of social and political dissolution, is another great danger we shall have to contend with in the near future. This threatening evil is the more to be feared, because it is in the power of a small group of men, nay, even of one solitary individual, to work immense havoc among the blamable as well as the harmless and innocent portion of the population ; and it is extremely difficult to guard against the attack of an anarchist, when he carries the deadly engine, called a bomb, of no larger size than a sardine box, concealed on his miserable person. If his outer appearance and dress do not excite any particular attention, it is easy for him to mix up with a crowd and penetrate into popular assemblies, theaters, and even legislative bodies, to carry out his infamous designs. Their doctrine of annihilation seems to be so firmly rooted in their sickly brains, that the sacrifice of their own wretched lives for the good of their cause does not in the least deter them. We have, during the past few years, seen the work of the anarchists in many countries besides the United States, the most dastardly and deadly effects having been those in the theater of the Liceo in Barcelona and in the French Chamber of Deputies. Execution of the perpetrators and imprisonment of their

accomplices appear to have produced but little effect to stop the evil, and fresh fanatics come forth almost immediately to renew the crime on pretense of avenging the fallen martyrs. Rigorous measures have been taken in France and other countries to destroy the infamous sect, but these will have but little result, unless the different governments come to a perfect understanding about reciprocal efficient aid in this direction. Even then it will be but a fruitless task to root out the fanatical anarchists, as long as they are able to lay their hands on the material wherewith to manufacture their bombs. We refer to the ordinary powder, the high explosives, fulminates and acids, which are sold to any one able to pay for them and having the necessary nerve and chemical knowledge for their preparation.

The men who have invented these substances and combinations are indirectly more to blame for their bequest to fighting, quarreling and raging humanity, than the wretches who avail themselves of their terrible explosive power against their fellow-beings. The godfather of these gloomy inventors is Nobel of Sweden, who discovered the combination of nitric acid with glycerine some thirty years ago. He thought he had endowed technical mankind with a powerful explosive for blasting purposes, probably little dreaming that his bequest would blast many thousands into eternity by careless handling, spontaneous ignition and foreplanned wholesale assassination. We can see but one efficacious remedy against this continual enormous danger in our midst, and that would be to prohibit the manufacture of these high explosives altogether, making it a penal offense equal to murder in the first degree; or at least restrict their sale to Government circles, and not furnish them to any one who does not give the most explicit proof of the purposes for which he intends to employ them, and hold him responsible for any consequences that may arise thereby, with his life and property. Return to your old gunpowder and smoothbore cannon; use none other if fighting must still go on; stop at once to build those uncouth, clumsy, costly and most unmanageable monsters called ironclads and steelclads; build wooden men-of-war as of yore, and do fair and honorable fighting, face to face, like our forefathers, instead of

stealing with your torpedo-boats in the dead of night upon your mammoth enemy, sending the fishlike engine of destruction into his flank, and the costly ironclad with its human freight to the bottom of the sea. These immense floating steel fortresses called battleships, armored cruisers, and coast defenders, cost millions upon millions of dollars; they are clumsy, unwieldy and difficult to handle; their machinery for propelling and steering the monster craft, for handling the cannon, and for lighting the interior, is too complicated and delicate to be secure and durable. They can only maneuver in deep water; if the engines break down they are utterly helpless; a collision will send them to the bottom like a bar of pig lead, as we have seen so frequently during the past years, and their combative efficiency remains still to be proven. None of these modern ironclads, without sailing apparatus in case of disaster, should ever attempt to cross the oceans; and it may be fairly presumed that every soul of the crew on board of them, officers as well as sailors and marines, entertains a secret fear of impending disaster. One of these naval monsters sailed (or rather steamed) from Portsmouth harbor in England some years ago, with seven hundred men on board, on a short experimental cruise, and no trace was ever seen or heard of her; she must have gone down with man and mouse without any warning and means of salvation. The monster cannon, too, can only be fired about twenty times, each shot costing over a thousand dollars, when they become unserviceable. It was poor and beautiful Italy that first commenced building these absurd modern men-of-war, and all other nations quickly followed her example, until there has sprung up a perfect fury of rivalry who should produce the thickest plating and the biggest armament. Another anomaly in modern warfare is the almost exclusive use of enormous shells intended to destroy a vessel and annihilate the entire crew or a regiment of soldiers by one explosion; on the other hand it is by derision considered inhuman to use an explosive rifle-bullet that might inflict an incurable wound on a single individual.

Returning to the subject of high explosives, they are still in their infancy. By far more powerful agents of chemical destruction will yet be invented, when the mysteries of the

original elements and their terrible combinations shall be more deeply penetrated. The writer mentions this hypothesis for the following reason: When a young man and an amateur student of chemistry, he made it a favorite pastime to mix all sorts of substances, solid and liquid, acids and alkalis, to see what the experiment might bring forth. He came near sharing the fate of the friar Berthold Schwartz, the inventor of gunpowder, who bent over his mixture and was blown to atoms. One day the writer had prepared a certain composition of three liquids, one of them being apparently entirely harmless in its organic state. He had the compound in a small retort over an alcohol lamp, perhaps not more than a couple of ounces, and had occasion to leave the isolated one-story adobe building for a few minutes to go across the large yard. A most terrific explosion followed, and the concussion threw him to the ground with mouth and nose bleeding, though fortunately not otherwise harmed; no one else happened to be in the immediate neighborhood. When the ruins were examined, it was found that the two-foot adobe walls were bulged out by the explosion, the roof, rafters of cedar wood, in splinters, and not a vestige of the laboratory and furniture could there be seen, whilst the hard brick floor was completely torn up and reduced to dust. Now, if two or three ounces of this mixture could produce such a formidable result when heated, what would not be the appalling effect of a gallon, or a barrel, of the same composition, that seemed to segregate the two component gases of the air itself! It would have resulted in the destruction of the whole town. Therefore we say that high explosives are in their infancy yet. After the foregoing catastrophe we never touched one of these ingredients again, much less did we attempt any further experiment afterwards; the secret was consigned to oblivion.

Extraordinary measures must be taken everywhere, especially in the United States, where the police system is less extensive and under too many different heads, and where there is no national police, to counteract the machinations of anarchism. We are living in times of intense excitement, restlessness and sullen dissatisfaction among the toiling and disinherited class of the people. Crazy notions are contagious, fast spreading

(to wit, the fashions), and when it already comes to a plan to gather one hundred thousand workingmen, march to the national capital, and there dictate to Congress the laws they want to be made, there is no saying to what further extremes the people may want to go,—such extremes as produce anarchy in the State, if it were not already smouldering in the larger cities, no knowing to what dangers our legislative bodies may be subjected in the sacred precincts of the capitols. Access to these assemblies is by far too easy; visitors go in and out without any order or restraint. This is entirely wrong. Even admitting that the sessions of our State Legislatures and those of the national Congress should be open to the public, since not all can be admitted for want of space, there is no earthly reason why those who enter should not be subject to certain regulations concerning the good behavior and quiet of the spectators in the galleries, leaving the disgrace of disorderly acts and speeches to the wiseacres on the floor. In European parliaments, be they monarchical or republican, no one is allowed to enter the legislative chambers without a card of admission, which can, however, be easily obtained from any of the deputies or senators, or from the competent officials employed in the building itself. The result is that the audiences there are decent, orderly and well-behaved, subject to proper control, whilst this is far from being the case in our assemblies, in which the spectators are often composed of a large rowdy element going in and out at will, laughing, chatting and spitting tobacco juice as much as they please. Our nation is celebrated for its spitting propensities, a most disgusting, nasty and unhealthy habit anyway. Those who cannot smoke without spitting should not smoke at all, because spitting is highly injurious and apt to produce consumption; those who must spit should know when, where and how to do it, in order not to be obnoxious to the ladies and well-bred men.

All governments should be anxious and willing to coöperate in taking the necessary practical measures against anarchism and the other enemies of society. The best means the different nations could adopt is not so much to extend the power of expulsion as to entertain a rigorous and unceasing system of

mutual warning and information. The authorities of the different countries should, moreover, take common steps to protect each other by punishing those who threatened public tranquillity. Owing to the frequent use of the deadly bomb by the anarchists, the chambers of parliament in Vienna and Paris have already been provided with an apparatus which enables the president of the assembly to close all doors leading thereto simultaneously to prevent the escape of the assassins, at least if the throwing of the bomb cannot be foreseen. Extraordinary precautions have also been taken to protect public buildings. All of which is respectfully recommended to our own governing circles. It is entirely useless and hopeless to try to convert an anarchist to better sentiments: the police, the juries or courtmartial alone can be of use by prompt and vigorous suppression.

If anarchism is the deplorable result of the unsatisfactory condition of immense numbers of our workingmen, laborers and artisans, and of the misery that seems to be spreading more and more in every direction, even in this glorious country, where by rights there should be no want, no privation; if anarchism resorts to acts of violence, murder and incendiarism, and consequently must be condemned by all right-minded persons, we must be more indulgent with regard to the socialist party, which in Europe, in the first place, advocates the abolition of the monarchical system of government, and, in the second place, there and in this country, a more equitable distribution of the necessities and amenities of life. The socialists at least hold open meetings free to everybody; their doctrines are not of a destructive tendency; they endeavor to make proselytes by oral and written propaganda, by persuasion and conviction, not by violent means. This being a country of free speech and free print, no particular objection can be made to the spread of socialism, which is comparatively harmless, and no repressive laws are necessary against socialists unless they should change their present attitude and become aggressive.

The French people have but little inclination to emigrate to foreign countries, not even to their own colonies, the larger ones in Asia and Africa being of more recent acquisition. This is principally on account of their ardent love for their native soil, a quality much less prominent with the Teutonic race, and also on account of the prosperity enjoyed by the inhabitants of what is undoubtedly one of the richest and best-governed countries on earth. The expression "of the world" is anomalous, because the universe contains an infinity of earths, which we hope and trust may be inhabited by a wiser and better set of beings than that inhuman animal called *homo sapiens* instead of *homo imbecilis*, which would be his right appellation. The abolition of private property in France has very little chance to find many adherents, for the simple reason that almost every Frenchman is possessed of private property, as we may see from the following facts and figures, viz.:

The population of the great French Republic, working under the symbolical charter of "*liberty, equality, fraternity*," and which in that country, the same as in Switzerland, are not mere idle and hollow conceptions, is in the neighborhood of thirty-eight millions. Of these, four millions are owners of French rents, equivalent to our Government bonds, earning perhaps three per cent interest; eight millions are depositors in savings banks, and eight millions owners of real estate in cities and country. These figures are taken from the official records and cannot be contradicted by any one. No other country on earth can produce such tangible proofs of a widespread diffusion of the public wealth in individual hands. In England the Government rent is in the hands of two hundred and forty thousand holders; thus we find seventeen creditors of the State in France against one in Great Britain. This proportion is about the same in all other branches of public economy and wealth in the two countries.

If it is an easy task to count the number of depositors in the French saving banks, institutions, by the by, placed under the immediate supervision and control of the authorities, it is less so to estimate the holders of movable or personal property in France; but we can safely say that the man who possesses

neither a passbook in some savings bank, nor a Government bond, nor stock of some sort in an enterprise or corporation, has become an exception in France. The eight thousand millions of personal property, supposed to be the patrimony of the French people, are, in a great measure, stowed away in iron safes and woollen stockings.

Another great factor in the prosperity of France is the distribution of realty, which is the most surprising of all, and forms a solid barrier against the progress of socialism and communism. The authors of the French Civil Code are justly entitled to the greatest eulogy ; they probably foresaw that the laws governing the forcible division of estates among the legal heirs would sooner or later become the strongest bulwark for public peace, and that they would convert France into a democracy of property owners. We sometimes hear reactionary spirits advocate the re-establishment of large estates somewhat in the feudal manner, but these antediluvian fossils have never looked around the agricultural portion of the country. In comparison to one large estate or domain that is reconstituted we find twenty divided and parceled inheritances, and by this process a gradual legal distribution of property is effected, which the creators of disorder, the communists, anarchists and other enemies of society, want to bring about by force, revolution and bloodshed. How many communities in France and inhabitants of villages are by far richer than the owner of the castle or palace, rearing its pinnacles and turrets above the more humble dwellings of the plebeian? To-day the immense majority of rural electors in France own landed property ; the agricultural proletariat has almost ceased to exist, and farm hands are often sent for from Italy and Belgium to gather in the harvests. In France the land belongs to the cultivator and not to the bloated capitalist and greedy speculator, as is the case in these United States.

There is no earthly reason why a similar condition of things should not exist in the United States of North America. Still more : this should be the most prosperous and happy country of all, because we have more land, more virgin and fertile soil than France, and our free institutions ought to afford, if they do not afford, all possible facilities in the world for the indi-

vidual to own something more than a bare living, and to enjoy happiness. Our laws of tenure of real estate in cities and agricultural lands must be repealed and utterly altered, and our people be prevented by statute or by force, if need be, to agglomerate in and make a hell out of the big cities.

An official inquiry into the length of working hours, and the rates of wages paid in the department of the Seine (Paris and suburbs), was recently held by order of the French Government, and showed the following interesting facts, viz.:

The usual daily working time varies from ten to eleven hours; the average time does not reach ten hours and a half outside of supplementary hours, but, including these, would increase this limit somewhat. Steady work of an even duration of nine hours and less is rare. It appears that the days on which extra hours are given often exceed twelve hours and rarely attain fourteen. The length of a day's work, meals included, is generally about one hour and a half longer than the actual working day,—on an average twelve hours. It has also been observed that the number of average productive days in one year is about 310, Sundays and feast days being generally kept free from labor. The average salary for one day's work is about $6\frac{1}{3}$ francs for adult workmen, and 3.15 francs for women. About 60 per cent of the workingmen have a salary ranging from 4.75 francs to 7.25 francs; more than 75 per cent earn from 4.25 francs to 7.75 francs; nearly all female toilers earn from 2 to 4 francs. It is proper to state that the average wages paid to the same special class of workers seems to be but little inferior in other parts of France outside of Paris. Wages by the piece are not ordinarily superior to those paid for work by the day, a few industries excepted.

It will be readily seen, from the foregoing figures, that the wages paid to the working men and women in France are decidedly higher than in our country, if we consider the difference in the cost of nourishment, clothing, rent, necessities, etc. A man can do more with five francs a day there than with two dollars and a half here; neither are they so frequently forced out of work as our own workingmen, because

the condition of industries, manufactures and business in general is by far better regulated in France and subject to fewer vicissitudes than in the United States. It is frequently alleged that this country is young yet, not quite developed and fully regulated ; but we cannot understand why, after a hundred years of experiments, with our immense resources and no less considerable natural wealth, free and liberal institutions and the presumed sagacity of our legislators and statesmen, a more favorable state of the industrial affairs of this country has not been effected yet. Nobody but the blind and unreasonable will deny that the condition of our laboring classes is far from satisfactory, and that these honest toilers deserve and are entitled to a far better fate. The American employer in general looks upon his employees with improper harshness and egotistical imaginary superiority : he treats them little better than chattels ; exacts the longest hours with the smallest possible compensation ; seldom has a kind or friendly word for them, and often discharges them like menials without a word of warning. Not so in the neighboring Republic of Mexico. If an employer wants to dispense with the services of a clerk, servant or other employee, he is required to give him either one month's previous warning, or put down before him one month's salary, unless he has been guilty of the greatest misconduct or dishonesty. In cases of insolvency the salaries due to employees must be paid in full before any other creditor is satisfied. As a matter of fact, the Mexican laws have a decided tendency to protect the workingman from the arbitrary actions and miserly spirit of the employers. It may also be interesting here to state that a bankrupt mercantile concern, or individual, must be able to pay at least fifty cents on the dollar, otherwise he goes to jail as a fraudulent insolvent debtor. The law there requires sets of regular account books to be kept by business men ; these books are registered in a fiscal office, the leaves, lines and columns on each page counted and stamped by the proper authorities. Erasures, interlining, corrections and additions are strictly prohibited. A merchant may have as many extra sets of books as he pleases, but the set prescribed by law must be kept in strict accordance with the law, and this set alone is valid

in court. Fraudulent failures and other tomfoolery resorted to in our country on every occasion are very rare in Mexico, and parties who have once gone through bankruptcy there will hardly ever get into business again, because faith and confidence in them has been lost. A federal, uniform bankruptcy law and stricter supervision over the affairs of our business community, who form important factors in our commonwealth, are also much needed to prevent the daily swindles and fraudulent failures that have become a national cancer.

It is true that there is a great deal of competition, partly attributable to the enormous and baneful influx of foreigners ; still one-half of the failures could be avoided by the proper restrictive measures. The French Government has found it expedient to oblige foreigners residing in the country, to make a declaration of their names, ages, places of birth, profession, domicile, and the localities where they exercise their profession or trade. This latter clause refers more particularly to the class of nomadic workingmen, who travel from town to town and remain for some length of time in the places where they find work. Those foreigners who disregard this law are arrested, and, if convicted, subject to a fine varying from fifty to one hundred francs, in default of which they receive a fortnight's free board and lodging in jail. How does this compare with the mild and humane requirement of the Government of the United States of North America, promulgated two years ago, that every Chinaman in the country could register within one year, and, failing to do so, did not suffer the slightest inconvenience. On the contrary, they defied the laws of Congress and sanction of the Supreme Court in an offensive and insolent manner, trusting in the proverbial apathy and weakness of a government that ought to excel above all others by the inexorable, prompt and pitiless application of its decrees, be they even unjust and harsh. "*Dura lex, sed lex.*" (It may be harsh, but it is the law.)

Amongst other evils that we are afflicted with are the so-called "*detective agencies.*" These are tacitly tolerated and recognized by the authorities, and their minions often

considered as valuable auxiliaries to the State and Federal police departments. So they may perhaps be for all we know ; but the very existence of these agencies is a symptom of weakness on the part of the regularly established *lawful* institutions of public safety. Some of these detective agencies have pompous titles to cover a multitude of sins. Not one of them is organized for any other purpose but gain and lucre. They hire their services to any one able to pay for them, and furnish single spies, sneaking watchers, to shadow members of a family, clerks and employees, bank cashiers and other people. Corporations can secure from some of these agencies any number of able-bodied, well-armed and drilled men to defend their rights and property against the more or less justified attacks by rioters and strikers, or the nefarious designs of the anarchists. In the latter case there may be some excuse for their services, because the combined power of the State is hardly adequate to cope with those terrible enemies of society, who are everywhere and nowhere, and too many hands cannot be raised for their destruction. In principle it is entirely inadmissible as well as contrary to all notions of national propriety to allow any such organizations to exist, much less to pompously advertise their headquarters and services. If a person chooses to hire a sneak or spy to watch and follow the doings and actions of another, and keeps the matter to himself, or to herself, it cannot well be prevented. Should the shadower be discovered by the object of his secret attention his hide and bones might be endangered, as has happened many a time. Loud and vehement complaints have been raised repeatedly over the interference of bodies of detective agencies in strikes and other quarrels between labor and capital. The matter of their unlawful actions and consequent suppression was even laid before Congress not long ago. A great deal was talked, discussed and written on this important subject, committees appointed and volumes of testimony taken, as if the whole question were not of the simplest solution ; but as usual all ended in gas, and the detective bureaux are still in existence and thriving. The hirelings that surrendered to a superior body of strikers at that time ought to be forever and ever grateful to their captors, who, in their just indignation and fury over the insolent, unjustified, unlawful attack of their

stronghold by the myrmidons of a private corporation, could easily have slain the whole batch, a fate they certainly deserved. The idea of having armed bodies of men at the ready disposal of any individual and company of moneyed men, whom we are foolish enough to call "solid, prominent and influential" without any discrimination, is very humiliating to our national pride and dignity. What have we municipal police officers and detectives for? and the National Guard and the Federal army? In accordance with the degree of seriousness of any local or general trouble, either of the said forces ought to be quite sufficient to deal with any riot or rebellion, be they on private or political grounds. No citizen should be permitted to hire his services for armed attack or defense to any individual or corporation for money. If a citizen is desirous of aiding and supporting the lawful authorities to insure respect of the laws, public order and security, he is welcome, provided the authorities seek and require such aid; but under no circumstances should he be permitted to keep regular establishments and publicly offer his services or those of his hirelings for money and compensation to any one that may feel inclined to secure such services. As a matter of course only the wealthy and the powerful corporations, that so often disgrace the community, can afford to make use of the detective forces; if the strikers were in a position to pay as much and more than the corporations for their services, the hirelings would be at their disposal in the same manner no doubt.

Whilst writing these lines we see a dispatch in the papers about the controversy between the Governor of one of the States of the Union and the courts. The State capitol is in the hands of the sheriff, supported by the entire police force; the Governor has called out the militia, and several regiments are formed in battle array around the building. Not feeling quite confident of the action of the citizen-soldiers, who generally do not care to provoke a conflict or participate in a quarrel they have not caused and feel no interest in, the Governor appeals to the President for Federal troops, who arrive during the night, and their presence, as usual, has the magic effect of preventing bloodshed, perhaps wholesale slaughter. Such disagreeable things are getting

too frequent in this country, and it is all and exclusively owing to the want of proper supreme authority over the inferior factors of the Government, continually in some conflict with each other. State Supreme Courts must be invested with the absolute power, in such cases of conflict, emergency and public danger, to immediately step in, whether by demand or not, enjoin the contending parties, and render a temporary order binding on the dissidents until the question shall have been properly decided; and such decision must not be deferred, but given without any delay in preference to any other matter. A further provision will be necessary; the Constitution should be amended so as to give the Supreme Court of the United States the power and make it its duty, if the State Supreme Court is not respected and obeyed, to declare the rebellious State "in interdict," and to order the President to send a sufficient force of United States troops to the scene of trouble, restore order by all means, and make such disorderly State pay all expenses from the moment the repressive troops are moved until they can safely return to their original cantonments. The way we are now situated, we must either take prompt and vigorous steps to uphold this great and glorious Union or see it rapidly go to decay and dissolution. This catastrophe can only be prevented by granting the Federal Government greater powers, and by modifying our laws to bring them in accord with the requirements of the times and the nation.

The existence of mercenary bodies of armed men, furnished by the so-called national, State and private detective agencies to whomsoever is willing and able to pay for their services, looks very much like the organizations of the landsknechts, freebooters, bandoliers and "condottieri" of the middle ages, who often to the number of many thousands gathered under the banner of some renowned chieftain, such as the Counts of Armagnac and Mansfeld, and hired their services to the highest bidding prince, irrespective of political and religious opinions, espousing his cause for the mere sake of pay, plunder and rapine. To their credit it must be said that those mercenary

companions in arms did good service and splendid fighting for the cause they once had enlisted in, as long as their pay was served to them regularly or they were allowed the privilege of sack and plunder. This sort of thing, long since abolished in Europe, appears to be introduced now in this country, and we ought to be ashamed of it.

Whenever great criminals, like train-robbers, highwaymen and murderers manage to escape from the pursuit of justice and cannot be apprehended by ordinary means, the simplest, shortest and cheapest way is to set a price, a fine good price, on their heads, and they are sure to be betrayed into the hands of the law, dead or alive, because treason and the greed of gold are rampant everywhere. This reminds the writer of an interesting episode in this line that took place in 1857 in a large mining town in the center of Mexico, being the capital of a State of the same name. It was at the time of the fierce civil war carried on with unusual violence and cruelty between the two political parties. There were quite a number of small bands of armed partisans under the leadership of some daring robber or escaped assassin, and their principal resources consisted in levying forced contributions on small towns, villages or ranches, in addition to occasional subsidies from the party they had ostensibly espoused. One of these robber chiefs, named Trinidad Rivera, a cruel and fearless partisan, having already seventeen murders to his personal credit, had become so bold and aggressive, that the Governor (the same we have mentioned in a previous chapter) found it necessary to send out bodies of cavalry to destroy the robber band and, if possible, to capture Rivera. One expedition after the other, however, was defeated by the daring chief, and some went over to him with arms and all. A whole regiment of infantry led to no better result, and returned to the capital of the State with diminished files. The situation became serious and dangerous for the Government with such a strong band of lawless opponents in the field. A consultation was held and the Governor advised to proclaim a reward of three thousand dollars on the head of Trinidad Rivera, and to deposit this sum in a mercantile house as a proof of his sincerity, because similar promises had been broken more than once in different parts of the Republic, or

only part of the price paid. A few days after the proclamation there appeared before the Governor a captain of cavalry of the name of Chacon asking for permission to go on a hunt for Rivera, which was granted him. Instead of taking his soldiers with him in arms and uniform, he secretly selected but four trustworthy men, and disguised as ordinary ranchmen in dirty leather suits, but acting under a well-formed plan of campaign, the five repaired to the scene of Rivera's exploits and succeeded, without exciting suspicion, to surprise and kill him one night in an isolated ranch, whither he had gone to sleep. Exactly one week after his departure Captain Chacon returned to the city with the robber chief's head in a bag hanging from the pommel of his saddle, and bringing his best horse with him too. He was highly complimented by the Governor, and received his reward of three thousand dollars, besides the horse and arms of the dead robber. Captain Chacon was wise enough to disappear at once, and betook himself to a remote part of the country for a number of years, otherwise he would hardly have escaped the avenger's dagger. As for the robber's head, it was stuck on a pole for three days over a public bridge, but taken down every night to prevent its capture by the friends of the dead man, who were very numerous and enterprising. The death of Rivera resulted in the breaking up of his band.

Our flag, so venerable and beautiful, with its seven narrow red stripes on white ground and the star-spangled blue field, should not be continually altered by the addition of new stars; there are too many already,—stars and States; the original thirteen stars should be restored and none added, which would leave our beloved banner immutable, as it ought to be. Thirteen has proved a lucky number in the case of the United States. Neither is it proper to display any foreign flags whatever of the same size as the *American flag* by the side of the latter in any public procession or on any building. The size of a foreign flag, diplomatic emblems excepted, should be limited by statute to say one yard in length by two feet in width, just sufficient to indicate the original nationality of the particular

section of a public display, if it chooses. We have often seen with disgust immense banners of shining silk and gold, beautiful as they may be, carried by the side of our flag, and considered it, if not an insult, at least a great want of tact on the part of the bearers.

There should also be a law forbidding the hoisting of the nation's sacred emblem on straight, upright staffs on any other but public buildings; private staffs should be inclined at an angle of forty-five degrees in contradistinction. Nor is it proper that the flag should be prostituted on every possible occasion for advertising and business purposes. This is not the way to surround it with that respect and admiration becoming to true patriotism.

The addition of a new star to our flag is indicative of the admission of a new State into the old Union. It is a poor policy, generally adopted for party purposes only, to admit Territories as States before they have at least one hundred thousand inhabitants, and before they have been properly educated politically and economically. The indecent hurry to be admitted as a State is the work of scheming and ambitious politicians. A Territory is much better off under the immediate supervision and paternal care of the Federal Government than under a so-called State organization, a mock Legislature, Senate and other parasitical incumbrances, leaving alone the increased expenses for the luxury desired. Look at the best-governed city in the whole United States, *the City of Washington*, depending entirely on Congress and having no common council, no mayor and no superfluous offices. We will speak of Washington further on to prove it.

The Governor of a Territory is appointed by the President, and he is assisted by a Secretary. The Legislature of a Territory consists of a Council of not more than twelve and a House of not more than twenty-four members, chosen for two years, and all laws must be submitted to Congress for approval or rejection. The members of the territorial Legislature receive a small compensation, and the whole fiscal system is on a strictly economical plan, which is a decided advantage compared with the costly machinery of an admitted State. Every Territory can send a delegate to Congress, and that is quite

enough for all intents and purposes. More than one delegate from a Territory are generally apt to differ, dissent and create more or less trouble.

The abnormal and enormous sum of one hundred and fifty-one millions of dollars will be needed for the next fiscal year to pay the pensioners of the Government, a larger amount than is expended on the immense standing armies of Germany or France. It is very creditable for our Government to have been paying pensions to the wounded and disabled defenders of the Union after the close of the great Rebellion, and they certainly were fully entitled to this liberal support; but gross abuses have been creeping into the pension system from the very beginning; fraudulent claims have been admitted by the thousands; persons but slightly injured, suffering from trivial results of sickness, and others not in need at all, are still on the pension list, and, like everything else, where large sums are handled, the Pension Department has been run in the interest of the great parties. We may safely say that thirty years after the war there should now be but one-fourth of the original number entitled to draw Government pensions. The laws with respect to recipients have been entirely too liberal, and were made still more elastic in the course of time to such a degree, that in 1867 there were 153,184 pensioners of both sexes receiving regular stipends from the pension bureau, and in 1879 the number had risen to 242,755. Within five years after the close of the war the list of nearly all those entitled to any pensions could have been firmly established and the rolls closed, with the exception of a few isolated cases. But instead of this timely and reasonable adjustment candidates for pensions were literally hunted up, lassoed and coerced into making claims on the slightest pretexts, to the great benefit of pension agents, attorneys and other birds of prey. A hue and cry is raised whenever the authorities attempt to overhaul the Pension Department with a view of reducing this tremendous drain on the national treasury; yet it would be just about time for Congress to pass a law to that effect, irrespective of votes won or lost for the next election.

In connection with the pension business we may here mention that every community, city, or State, ought to provide suitable institutions at the public expense to afford a convenient and decent place of refuge for the aged, disabled and crippled, besides the ordinary hospitals. Whilst the inmates of such institutions must necessarily be subject to a certain discipline, order, good behavior and cleanliness, they must not be treated with any unnecessary severity, nor be made to understand continually that they are the object of public benevolence. These unfortunate people are, by common law, as much entitled to comfortable quarters, food, clothing, etc., as the merchant prince and bankers' sons ; if they were criminals, they would be in prison and not inmates of a charitable retreat.

When a franchise is granted by the State or any municipality to a company, corporation, or syndicate of men, authorizing them to build street or high railroads, water-works, telegraphs, steamer lines and other appliances for the accommodation and benefit of the people, as well as for their own especial profit, our legislators are not sufficiently careful to provide for the security and comfort of the passengers. Trains, steamers, street cars, theaters, etc., are crammed full to excess almost every day, and the American public, the most patient, considerate and easily duped of all, is frequently treated in the most shameful manner without ever raising a complaining voice. In other countries the public is not so easily imposed upon, and, knowing their rights, will insist on their exercise. Thus, for instance, there was dissatisfaction in Rio Janeiro some ten or twelve years ago in consequence of the violation of some privilege the public had on the street cars, or, as they are called there, "tramways." The company not giving redress promptly, over sixty cars were destroyed and burned on the streets and no indemnity paid by the city, the company having been at fault. Every possible safeguard should be exacted from the corporations to bind them to the strict execution of the clauses of the franchise, and these clauses should be in favor of the public by all means, allowing the

company all that is fair and equitable, be their profits ever so large. Street and high railroads should not be permitted to place more than so many persons in each car; the seats should be divided off to prevent crowding each other, and but a limited number allowed to stand up. If the company does not find it payable, let them ask no franchise or throw up their charter. There is more traffic in London and Paris in one month than there is in any of our larger cities in a year, and yet the system of limited seating and standing room in the cars works to perfection there.

In Mexico there is a magistrate in every public place of amusement, such as theaters, circuses and bull-fights, occupying a prominent box with a couple of police officials. This magistrate is there for the exclusive purpose of watching over good order, but especially for that of seeing that the performers fulfill their promises to and engagements with the public, who pay their money and expect its equivalent as a matter of course. These things may appear to us primitive and out of date, but they are quite right at the bottom, if we look at them in the proper light.

Our common councils, or board of aldermen, will grant franchises and charters to any company, for or without any open or private "considerations," but they always fail to insert and make the companies agree to protective and restrictive clauses on behalf of the public, who are expected to pay after all. But "*the people be d——!*" *Hinc illae lacrimae!* (There is where the shoe pinches!)

One of the most disgusting and brutal habits that disgraces this country is prize-fighting. This we have inherited from our British cousins, who at no very remote time were passionately fond of such exhibitions. Prize-fighting has been prohibited by law in most of the States, but the statute is circumvented more frequently than obeyed. We must confess that a duel with swords, daggers or pistols, as we have witnessed them among the people in Mexico on some occasions, appear far less brutal than the pommeling each others heads, faces, arms and breasts practiced by the so-called light, heavy

and feather weight champions, posing as heroes before a vulgar but highly profitable audience. If a couple of human brutes are ready and willing to fight together according to the "rules of the Marquis of Queensberry," who could have done something more creditable to immortalize his name, let them do so in private in the presence of their friends and admirers ; but in no case and under no circumstances should any fight be permitted in public, nor such an event be published by advertisement, handbills, or in any other manner. The principals should be fined heavily or imprisoned, and the seconds and other accessories too.

A great many persons, not excepting the feminine gender, carry concealed weapons, which is prohibited by law. Permits to carry a pistol are, however, frequently granted to individuals under some pretext or other ; but the authorities mostly neglect to surround the issuing of such permits with the proper guarantees. The name, age, profession, State and residence of the carrier of arms are not sufficient ; he should also furnish a satisfactory surety, that no unlawful abuse will be made of his privilege to go armed. Persons arrested and convicted for carrying concealed weapons should be fined at least one hundred dollars, or imprisoned for three months, and the weapons confiscated and destroyed. Either this, or let everybody go armed to make things even. In the same manner in which powder and other explosives should only be handled and sold by the Government upon proper guarantee, the Government alone should control the manufacture and sale of arms of all kinds to prevent their promiscuous carrying and pernicious use. We have constables, policemen, detectives, sheriffs, the militia and last, but not least, the United States army ; if these various forces are not sufficient for all purposes of individual and collective protection, then their numbers must be increased until they *are* sufficient, without regard to expense. The security of persons and property in the smallest village and the most populous city means general prosperity, and cannot be purchased too high.

In some European countries there are corps of national police called "gendarmes" (men-at-arms) and "carabinieri," mounted and on foot, who are stationed by small brigades at the head-town of a district, but whose duty it is to be continually on the road, traveling leisurely about the country, overhauling suspicious characters, looking after poachers, tramps, beggars and vagrants, who, if not precisely arrested, are warned and admonished. They arrest and bring in prisoners from long distances, and execute the orders of the higher police authorities. The gendarmes and "carabinieri" generally travel by twos, and are armed with saber, rifle and pistol. None but picked and honorable men are selected for this national police force, which may be considered incorruptible, and is a perpetual source of terror to the transgressors of the law; their aspect alone is apt to inspire fear and trembling. In case of riots or war the "gendarmes" can be concentrated rapidly and form a very respectable public force. Something of this kind is very much needed in this vast country, where vigilance is so difficult.

Our municipal policemen are not uniformed properly, like the metropolitan police of London, Paris and other capitals. The English policeman has a short tunic, not reaching below the hanging hands, tightly buttoned to the chin, and wears a helmet, about which a great deal has been said disparagingly, but which does not look bad at all and is certainly very practical. These men are also selected for physical and moral superior qualities, and are universally serious, attentive to their duty, and, what is a decided advantage over our own policemen, very polite and ever ready to give aid and information to those that ask for it.

Instead of pistol and club, our policemen should be provided with a stout three-foot rattan for unruly boys and boisterous drunkards, as well as to beckon to and stop vehicles, with a short blunt saber in leather scabbard for the pugnacious, and a long-barreled revolver for the fleeing criminals. This armament would inspire the public with a great deal more respect than the present outfit. The English policeman will stand in the center of a street filled with a jam of hundreds of vehicles, entirely unarmed, and, by simply raising his rattan,

direct their movements ; and none dare to disobey, nor even to murmur ; in the English courts there is no trifling, no humbuggery, but stern, implacable justice.

The municipal laws should also provide for the proper and substantial building of streets, a matter of such vital importance to everybody without exception. It is against the dictates of common sense and the principles of public economy to allow defective streets to be made. London, Paris, Vienna and other smaller cities in Europe have clean, even and durable streets, carefully supervised by the authorities and watched by the police. There is a heavy fine for throwing even a piece of paper on the sidewalks. The original cost of a street is, of course, higher when built in a proper manner than a flimsy, superficial foundation and surface ; but the outlay for a finely built street will prove a great economy after all, because it is more solid, durable, satisfactory and requires few if any repairs. In justice to our country we must say that there are some fine streets in some of our cities, the national capital standing at the head of all with her thirty odd miles of beautiful, smooth asphaltum and cement streets, free from cobbles, stones, dirt or holes. But the bed foundations of the streets in Washington are deeply and carefully laid, and no work is accepted unless correct and proper. The utter absence of supervisors, aldermen and councilmen accounts for this excellence, and no doubt about it.

A complete state of lawlessness and anarchy seems to prevail in our building ideas. There are deplorable defects in the laws relating to this very important branch of the public welfare. One man builds a decent dwelling or business house, of symmetrical proportions and moderate height ; another man of less taste and brains, but with more shekels, erects a structure by the side of the former, which, owing to the immense and absurd disproportion of the base with the height, ceases to be entitled to the appellation of "house," but takes that of "tower." It has become a despicable habit in recent years, no less than an insolent encroachment on the time-honored rights and privileges of their unfortunate neighbors, with our wealthy

classes to erect buildings on a small area, rearing from five to fifteen stories into the sky, in order to derive the highest possible rental from the smallest possible ground lot. Refraining for the time being from any investigation into the manner of constructing these absurd towers and their danger of collapsing and tumbling down, it must be taken into due consideration that these grotesque and outrageous buildings serve to enrich their owners and at the same time to perpetually annoy the near and far neighbors as well as the pedestrians on the streets, because they deprive them of light and sunshine, not to mention the dangers of fire and those of the elevators to feed it. Churches, temples and public buildings excepted, no structure for private or industrial or manufacturing purposes ought to be permitted to be higher than fifty feet on the broadest streets and thirty on the most narrow thoroughfares. If any one wants more ground space, let him go outside of the city limits, if he cannot afford to purchase the necessary ground within them. We have stood on Broadway, Wall, Nassau and other streets of lower New York City, and have looked up to these absurd, unsightly towers with a feeling of pity for crazy humanity that is guilty of erecting and of tolerating such incomprehensible public nuisances; in front of one of them we could not help bursting out with shouts of laughter, that seemed to surprise the bystanders, who did not know the cause.

When we were in London in 1891, we were shown a fine, beautifully finished brick building occupying an entire vast block and but five or six stories high. Our guide informed us that some years ago a syndicate of capitalists ("representative men" as we are pleased to call them in this country) quietly went to work purchasing the residence buildings standing on that block, and did it in such a slow and cautious way, that only a few of the original owners got wind of the scheme and were enabled to obtain a higher price for their property than the others. The plan of the syndicate was to erect a mammoth structure of fifteen stories and make it a hotel, theater, stores and dwellings of all sizes and prices, in the style of their American cousins; but the syndicate reckoned without their host. Protests came from all sides

comprising all the surrounding blocks, which for centuries had enjoyed such light and sunshine as are afforded the inhabitants of London ; the matter was brought before the courts, decided and appealed again and again, an injunction granted when five or six stories were up, and finally wound up in Parliament. This supreme body appointed a commission from its own bosom, with instructions to investigate and power to act. After but two days of its labors the commission said : "That will do ; put on your roof." And thus London, with her reasonable, uniform style of architecture, has been spared the disgrace of a Babylonian tower, to be a nuisance and an eyesore to every sensible inhabitant of that district, many of the families having occupied their own houses there for centuries, or at least a great number of years, thus giving them priority rights to light, air and sunshine, the precious gifts of the Lord.

Again, we call special and particular attention to the all-important subject of forestry and game, affecting not alone the present generation, but our unfortunate descendants, who will certainly be doomed to return to the stone period for want of wood and lumber, unless immediate and vigorous measures are taken to stop the destruction of our scanty forests and even of single trees. "*Après nous le déluge*" (after us the flood may come) is the motto of the selfish, not to say fiendish, lumber cutters and dealers. What care they for posterity ? Laws have been passed on this very subject, but they are not enforced, and a conviction and punishment of offenders are of rare occurrence, such are the sinuosities and the elasticity of the courts at present. Neither are the penalties severe enough, nor is the vigilance efficacious. Here there would be a good employ for a national corps of mounted, flying police or "gendarmes." The demand is repeatedly made by our sensible people and some legislation enacted, but the whole thing is not taken as serious by the authorities. The following is an excellent article we saw in a recent paper and beg to copy :

"It is full time that the United States Government adopted a rational and comprehensive forestry system. The policy of

reserving forest lands from settlement and private ownership has at last secured a firm place in the laws. The last administration reserved over thirteen million acres. The present one has already added four and one-half million acres to this area. This is far from being the extent of timber land that should be put under Government protection ; but it may be considered settled that these reservations will be extended within a few years to include most of the remains of our forests. But it is not enough that forest reservations should be created ; they must be rationally used, if the country is to get the benefit from them. A forest can, to be sure, serve a very useful purpose by being left alone, for it preserves the watercourses and feeds the streams that irrigate the farms and create the rivers. The forests, besides this, can be made to furnish a perpetual supply of timber. The trees are a crop that should be harvested when ripe, and when cleared away should be renewed like any other crop. The rational system of forestry does not stop with making reservations ; it provides for the cutting of mature timber, the planting of new and desirable growths, the cutting out of inferior plants, and the protection of standing trees from fire and depredations. There is now a bill before Congress to establish a system of forest administration that will accomplish these objects by utilizing a portion of the army to protect the forests, and by giving the Secretary of the Interior authority to sell timber whose cutting will not injure the forest, and to take such measures as will provide for the perpetual renewal of the forest. The importance of our rapidly vanishing timber supply is at last coming to be understood by the people, and Congress can be sure of popular approval in adopting such measures."

But the great trouble is that Congress is in the habit of wasting its precious time on measures of little importance to the general welfare of the people, and when at last something important, useful and of public necessity happens to penetrate the almost impossible barrier of red tape and formality surrounding that august and stupendous body, it takes half a century to get it passed and adopted ; and even then the subterfuge of "unconstitutionality" is left open for the enemies of the public good.

After being admitted into the country, an immigrant should be at least thirty years old and have resided ten consecutive years in it before he can become a citizen of the United States and be entitled to all the rights and privileges of such, including those of an elector and candidate for office. In ten years he can learn the language properly, acclimatize himself, study our laws and institutions, and be politically educated. The admission to citizenship should be surrounded with proper solemnity in the United States courts exclusively, and no other court have the power to create citizens. Absolute proofs of the prescribed residence, identity and other qualifications should be furnished, and not be accredited by dim recollections, hearsay and meaningless oaths and affidavits. A corresponding fee of say twenty dollars should accompany the application upon being admitted, the first application to be made at least three years in advance and declared void four years after filing, if the candidate does not present himself. Such measures would settle all controversies on this important subject forever and silence the growing jealousy of the native-born element. If the naturalized citizens have thus far taken such a prominent and active part in the political affairs of the country, it is not alone owing to the indifference displayed by part of the born Americans, but principally to the catering of the different parties, who are only too anxious to procure the foreign votes, and, to obtain that end, are in the habit of creating citizens by the wholesale at election time. Native-born electors, too, should be at least twenty-five years old before being allowed to vote.

The Postal Department of the United States of North America is one of the public institutions we may justly be proud of. Every facility is afforded for the prompt, safe and cheap transportation and delivery of letters, newspapers and parcels. The postage, in fact, is too low. It is ridiculous to expect a one-ounce letter to be carried for you from one extremity of this vast region to the other, a distance of three thousand miles, for two cents. The former rate of three cents per half ounce should have been maintained for letters of one

ounce, and the postage on newspapers doubled. If people cannot afford to pay such rates, let them write less. Suppose the mail service does leave a handsome surplus to the Treasury, all the better ; it is a tax easily borne and hardly felt by any one but those who are in the habit of flooding the country with stupid circulars.

The postal authorities are supposed to ignore the contents of closed letters. The secrecy of the mail should be inviolable, and only in cases of crimes actually proven, when committed, should letters addressed to the perpetrators or participants of crimes be seized and opened by order of a United States court to enlighten justice. The postal officials have no right to presume or suspect what might be the contents of closed letters, as long as they are decently addressed and the corresponding stamps affixed to them. A ruling has been made, amongst other singular measures in the mail department, and made a law by Congress, that no lottery tickets or lists shall be transported by the Government mails ; even more, letters addressed to persons known to deal in tickets and connected in any way with lottery schemes are rejected and not received. This is entirely wrong, as long as the address of such letters does not clearly show what the contents may be, or perhaps contain a printed advertisement on the envelope concerning some lottery. The proper method would have been to prohibit all spurious and clandestine lotteries and the printing and sale of their tickets by a heavy penalty.

This leads us to severely criticise the law prohibiting all lotteries. It is an evil, if evil it may be called at all, that no law can prevent, and, like many other evils of society, it ought to be regulated and guided to its proper channels under the paternal control of the authorities. People will play in the lottery by all means, and as long as this propensity is not carried to excess, as in the kingdom of Italy, where a Government drawing takes place every day and induces and seduces the poor to spend every cent on the chances, there is absolutely no harm in it. It is the only hope and chance many people have ever to acquire a certain amount of money to help them out of trouble and to start some business. In a fairly and squarely conducted lottery belonging to or under the closest surveillance of the Government, such chances are open to

everybody,—poor and rich. All other enterprises of the kind should be strictly forbidden by law, but give the people a show at least. Wiscacres and envious parties allege that lotteries are demoralizing, absorb the hard-earned savings of the laboring classes, and lead to gambling. They are utterly mistaken, for the already stated and now repeated simple reason that a person who invests his quarter, half or whole dollar in a ticket puts it away, and hope is in his breast until the day of drawing. When, to his not at all unexpected and probable disappointment, he finds that he has come out empty-handed, he purchases a new ticket in the next drawing, and hopes again. There is an immense difference between this innocent chronic hope and the periodical investment of a small amount with good chances, and the all-absorbing, destructive, insatiable passion for the gambling table, to which there is no limit and which generally ends in awful disaster to the infatuated victims of the “royal Bengal tiger,” more dangerous and deadly than the beautiful king of the jungle.

Almost every government owns and controls a State lottery, excluding in some cases the tickets of other countries; and the benefit derived from the monthly and yearly drawings furnish a fine and steady income for the public fisc. We ought to have a national lottery by all means, and endeavor to retain in our own country the really immense sums in cash now migrating to Mexico, Honduras and other foreign countries; but our people are blind and headstrong and the authorities still more so.

“*Beer, Wines and Liquors.*” These four significant words appear to the eye of our people on every side, except in the prohibition States, where they rest concealed in the bosom of the initiated. And here again we strike conflicting laws, fierce controversies and flagrant, arbitrary acts of injustice and intolerance, of which we have every reason to be ashamed as a nation. The Anglo-Saxon races have been heavy drinkers before the Lord for ages immemorial; yet look at them and admire their physical qualities! Beer, ale and gin seem to have had no effect to deteriorate the British and Irish in a physical sense; everybody must admit that these people are and ever will be splendid specimens of humanity. We by no means

intend to write an apology of drink, much less strong drink; but we want to treat the subject with fairness and justice, not with the accustomed one-sided and narrow-minded spirit. People will drink, smoke and gamble in defiance of all the statutes made to prevent these habits, and the wisest thing is to properly regulate the former two. Supposing, for instance, that all the wine, beer and liquor at present existing were to be destroyed and the replacing thereof forbidden: people would still find ways and means to get intoxicated. All they would have to do is to take the milk of the cocoanut and expose it to the rays of the sun for a couple of hours, or a pint of water and honey with a few drops of yeast, to obtain the "creature." There would be any amount of clandestine family distilleries, home-made sour mash, bitter beer, etc., etc., far more powerful than the stuff now sold to the people by the public dispensaries. The writer has taken so-called home-made beer in a family in England, one pint of which was all he could get away with, and that beverage had been brewed by Lady Maud with her own hands.

It must be considered that the Federal Government derives enormous revenues from the manufacture and sale of wine, beer and liquor, probably over a hundred millions a year, and this does not include the import duties on foreign liquids, nor the State and municipal taxes. It is a revenue not severely felt by our people either, since it is paid finally by the consumer of the bottle and single glass, the importers, distillers and liquor-dealers being thus fully reimbursed for the taxes advanced by them. It is exactly the same with tobacco. Adhering to our maxim, that the Federal Government should own, or strictly control in the most extensive manner, everything pertaining to the general welfare of the people, as much as this is possible and practicable, the State should have the management of all distilleries and make but the purest and best of whisky, brandy and the other domestic liquors, allow no spurious and inferior article to be imported on any account, and sell only to such wholesale and retail dealers as can furnish the necessary bonds to the effect that they will not adulterate nor deteriorate the liquors purchased by them, in any way, shape or manner. Severe penalties should be attached to such provisions and the license forever withdrawn

from offending parties. The liquor trade would flourish just the same, but the consumer would not be poisoned and driven to crime and frenzy by inferior and doctored liquor. Absolute prohibition is an infringement on the rights and liberties of the people, high license an exaction on the part of the authorities resembling robbery, and local option a policy only apt to create confusion, disorder and bitterness among the people. There you have it all in a nutshell, as the saying is.

We are of the opinion, however, that the use of spirituous liquors as a daily beverage should be discouraged in every possible way and the people be educated gradually to use nothing but wine and beer; these are not productive of habits of intoxication, unless used to excess. As an example to prove this assertion we have all great wine-producing countries like France, Germany, Switzerland, Spain, Italy and Greece, where you will find less habitual intoxication, even among the lower classes, than in England, Ireland, and these United States of North America, where the "cratur" is the preferred drink of nearly everybody that drinks at all.

We have nice and pure wines of many varieties and at reasonable prices in California and some Eastern States; there are other districts in the West and Southwest where the grape could and should be cultivated with great success. If the wine-growers of California would only let their products mature and rest for a couple of years, as is done in other and older wine-producing countries, and without which process the divine liquid will never attain that state of perfection that will make it acceptable, drinkable and palatable, and if the greedy, unscrupulous middlemen will only refrain from their absurd and reckless manipulations of the pure, natural wine by adulteration, cutting, watering, and various contaminating processes, our people would very soon become educated to the proper taste for and daily consumption of the native wines at table and in places of refreshment. Wine is the milk of the aged and feeble. Old Noah was in the habit of tasting it, and his is the first instance of intoxication mentioned in sacred history. He evidently preserved a shoot of vine among his other plants on board of his old ark, since he expected to effect a landing at some period or other to reset it. The wine of those primitive vines must have been a poor beverage,

considering the absence of barrels and glassware and the use of queer amphoræ and jugs, in which it could not well be preserved. Their wine, down to the Roman period, may have been taken during the stage of first fermentation, when it is the most intoxicating. Our Lord and Saviour did not despise his cup of wine at his meals, neither did he prohibit and vilify it before the people, as his often unworthy followers are in the habit of doing in these enlightened times, still obscured by many clouds of prejudice and disgusting intolerance.

California wines, of pure, mature and healthy quality, ought to find a ready and eager sale at fifty cents a gallon in any part of the United States of North America, which would be but twenty-five cents a bottle retail, and come within the reach of every man. There ought not to be enough wine left for exportation to foreign countries, if we only knew how to appreciate that which the Lord in the first place and the toiling vintager has bestowed upon an ungrateful mankind.

As regards beer, it is a perfectly harmless drink, when made of pure and good ingredients, a requisite our Federal Government should also look to and strictly insist on by severe penalties and the closing of contravening breweries. As it is, the common lager beer is hardly stronger than colored water.

During a sojourn of twelve months in France, Italy, Switzerland, Germany, Austria, Hungary and Spain, strange to say, we have not come across a single case of real intoxication, England alone excepted, where we noticed more than one sinner in this line, even on the Lord's Sabbath.

It may safely be asserted that one-third of the fires that desolate and impoverish our communities are the result of criminal carelessness, cupidity and arson. This is the result of the innumerable more or less solvent insurance companies. This branch should also be under the absolute and strictest control of the Federal Government, and the crime of arson, when attended by the loss of life, be punished with death, otherwise with hard labor for life. Give us Draconian laws for assault to murder, murder, and arson, and let these awful crimes be punished with death!

IV. THE PRESS.

THE name of the mechanical instrument has been given to that comparatively modern institution, which enables the reading portion of civilized humanity to grasp the mental productions of learned and diligent men, whether they write for purposes of instruction, for glory, from motives of vanity, or for mercenary purposes. The public has nothing to do with these motives and does not appreciate them ; it pays for the books and newspapers, and makes such profitable use of their text as may be compatible with the intelligence and faculties of each individual. The written combination of thought, the gist and substance of profound researches, the solid gathering of news, fiction and flimsy gossip, are first materialized by the process of the setting of the type, scattered and assorted in flat cases with irregular square compartments. This is an operation as tedious as it is difficult, and yet it enables the operator to acquire knowledge from the very promiscuous character of the "copy," as the manuscripts are called ; and, if he be in the least degree intelligent and attentive, he is sure to derive profit from this instruction. The materialized type passes from the setter's hand into the marvelous machine, that not only imprints the material of the brain in clear and intelligible letters, but is capable of almost infinite reproduction. The art of printing originated in Strassburg in 1450. Faust, Gutenberg and Schöffer were the three combined inventors. The type was cut by hand on blocks of wood, and could not be used for any length of time, until the metallic type was invented. The progress of printing was very slow ; it took centuries to attain its recent stage of perfection, affording to the people the immense and priceless advantages of cheap books and periodicals. Instruction and information are now conveyed to all in a leisurely, free and easy maner, of which our ancestors had no idea. A Bible, for instance, three hundred years ago, cost thousands of dollars

a copy, and was considered of such value that it was chained to a heavy desk for greater security, somewhat in the manner of business directories in our drug stores. All this has undergone a wonderful change, especially during the present century, the close of which is marked by the highest state of perfection the art of printing will probably ever attain.

The diffusion of knowledge and information among the masses has become an immense power, a power which is of the greatest benefit when wielded with noble intents and pure motives, and which, in the hands of the viciously inclined, the man of perverse notions, the corrupt and the venal and mercenary, becomes a public danger and a nuisance. Unfortunately a great portion of the books published are trash, not worth the paper and binding, and part of our newspapers positively injurious to the healthy progress of the mind. Such works and papers ought to be prohibited, confiscated and destroyed, as they were in ancient times, when the public executioner burned them on the town square in the presence of the multitude by order of the potentate.

Before proceeding let us throw a short retrospective glance at the early stages of journalism in Europe and in the United States of North America.

The glory for publishing the first regular journal by right belongs to that nation of thinkers, Germany. There are still existing in some libraries a few sample copies of so-called "news pamphlets," not regular sheets, published in Germany prior to the seventeenth century. These were followed by the *Frankfurter Journal*, published in the year 1615, once a week only, contrary to the title it bore, which means "daily." In 1622 appeared the *London News*; the *Gazette de France* saw light in Paris in 1631. Journalism was very slow in developing in those times, and the so-called newspapers were of ridiculously small proportion. In 1704 up to 1740 the English began to enter into polemics and to write leading articles in order to shape public opinion. France followed in this evolution of the press during the great revolution of 1789, and Germany in 1796. A French author of that period says: "Suffer yourself to be blamed, imprisoned, condemned; suffer yourself even to be hanged, but publish your opinions; it is not

only a right, it is a duty ! ” It was in England, however, that this course was first taken up practically, and that, too, in the face of fine, imprisonment, suppression and the pillory, at a time when the public in France had to depend principally upon foreign papers imported and circulated in secret from hand to hand. The editors and authors of those papers had to resort to all sorts of trickery, blinds and subterfuges to escape the responsibilities of avowed authorship. In Germany journalism has made slow but steady advances onward, especially in the grand feature of gathering information from even the remotest regions, not only of current events but of the growth of opinion and the condition of social life, its wants and phases.

Journalism in Italy begins with the *Diario di Roma* in 1716; but this was subject to the strictest clerical censure, and politics played but an insignificant figure in the Italian papers until those of Sardinia, at the impulse of the great Cavour, began to foreshadow the approach of an influential free Italian press, such as exists at the present day. In Spain, as a matter of course, no press can be traced back further than the close of the last century. An American traveler, as late as 1826, writes that, during the whole of his peninsular tour, he could not lay his hands on more than two newspapers. The oldest regular periodical on record is the *Frankfurter Journal*, published in Frankfort-on-the-Main, and which continued to exist until the present time.

The first newspaper in America appeared in Boston, Mass., in September, 1690, under the title of *Public Occurrences*, but was suppressed by the Governor of the Province. This paper was a small quarto sheet, and one of the pages blank. The *Boston Gazette* began in 1719, edited by James Franklin, elder brother of the celebrated Benjamin Franklin ; it lasted until 1754. Benjamin Franklin started the *Pennsylvania Gazette* in 1729, and continued its weekly publication until 1765. At the commencement of the struggle for American independence in 1775, Massachusetts possessed seven newspapers; New Hampshire, one ; Rhode Island, two ; Connecticut, three : in all, but thirteen for the New England Colonies. Pennsylvania had eight, New York but three, the oldest being the *New York*

Gazette, founded in 1725. Up to that period Boston and Philadelphia were the only towns possessing a newspaper throughout America. In the middle and southern Colonies there were in 1775 in all ten journals, of which Maryland, Virginia and North Carolina possessed each two, South Carolina three and Georgia one. The total number of the Anglo-American papers was thirty-four, all of them weekly publications.

In those colonial days, liberty of the press could not and did not exist, and any delinquent paper was promptly seized, fined, or suppressed, as it did not behoove the mother country to allow her colonial subjects free discussion and criticism of her rule. Liberty of the press commenced with the revolutionary period and increased at the same ratio as the numbers and size of the successive publications, until in our time the papers are of monster proportions, partly filled with nonsense, trash and obnoxious matter; and the much vaunted "liberty" of the press has become "license," a real danger to the community, instead of the noble and beneficial power our thousands of newspapers ought by rights to exercise.

At the commencement of the century the papers were small sheets, printed on poor paper and with indifferent type; the presses, though quite ingenious for the times, were manipulated by hand, and the printing process, page by page and sheet by sheet, was necessarily very slow; neither could any of these presses turn out anything even approaching the issues of the present day; the capacity was only for a few thousand copies, these being sufficient to meet the demand at a period when one paper subscribed to by an extravagant citizen was generally loaned from house to house as a matter of economy and neighborly feeling. How very different is this now, when every town of 15,000 inhabitants has at least one daily paper of its own, and there is scarcely a county-seat without its weekly, even if there be but 1,000 inhabitants and often less.

The English first invented and perfected a curious and complicated machine called the "fast press," which, though at first also worked by hand power applied to cogwheels, soon found extraordinary speed by the application of steam force and further steps toward the present perfection. The development of the modern newspaper is due to a union of

causes, bordering almost on the marvelous. A machine which, from a web or spool of endless paper three or four miles long, can in one hour or so print, fold, cut and deliver from its bewilderingly complicated mechanism twenty-four to twenty-five thousand perfected broadsheets is after all not so great a wonder as the organizing skill that centralizes in a London office the telegraphic news from Europe, Asia, Africa, America and Australia, and retransmits the news from Great Britain. Add to this concentration and radiation of news the unusual mental gifts, the high culture and working capacity in the editorial rooms, which combine to develop public opinion on the great public questions and general interests, and to guide this public opinion, and we cannot in justice envy the great success achieved by a number of the modern periodicals, nor the amount of shekels that swell their rich harvests.

The New York Associated Press is the chief news agency of the whole American continent. This is an association between the *New York Herald, Tribune, Times, Sun, World, Journal of Commerce, Mail and Express*, etc., etc., for the collection of such news as its members may wish to use in common and for the sale of items to others. This association and the Western Associated Press distribute the news to the members of both associations, and sell it to a great number of individual papers and other associations. They transmit proceedings of Congress and of State Legislatures, the text of public documents, market news, ocean cablegrams, and in general accounts of all public occurrences of interest, lies, nonsense and trash of course included; and here is where the shoe pinches; for news at this time is sought for more on account of the quantity than the quality of the material, and but little discrimination is shown between the useful and really interesting correctness and truth and the sensational items, doubtful reports and irresponsible communications. What should prove a boundless blessing to reading humanity is thus frequently converted into an intolerable nuisance. Chaos and disorder pervade the public press, in books no less than in periodicals; and, if reform is indispensable in so many public institutions, it is no less so in the management of publications circulated among so many people.

Most of our newspapers have grown up and developed like fungi, and their contents have become so heterogeneous that it is very difficult to distinguish between the poisonous and the harmless product they dish up for the pretended gratification of all tastes, from the esthetic to the prurient.

In the first place our papers in general are too unwieldy, their size is extravagant, and they contain twice and three times as much reading-matter as any reasonable person can possibly expect, and, as a matter of fact, hardly one in a hundred expects or cares for such an amount of reading-matter. Then the type is far too small, and contributes not a little to the growing evil of nearsightedness and other more serious eye-troubles amongst our people. The items of news are not properly classified under their respective and distinct headings and corresponding columns, but scattered pell-mell through the monster sheets, hard to find when you look for them, and good news scarce like one pearl in a hundred empty shells. The character of the news is promiscuous to an excessive degree; immoral and highly sensational matter is eagerly sought for, hunted up in every nook and corner, and the corrupt and insipid taste of a few individuals catered to, against that of the thousands of honorable and well-inclined readers.

Neither is the basis and truth of the news items properly ascertained. This is a secondary object; the main effort is to bring news of any kind, the more startling the better, and if, as is the case twice in three times, the news is incorrect, it may be rectified later on; or, if some poor individual has been publicly exposed, disgraced, assaulted and vilified, a tardy, flimsy, hypocritical apology is generally all he may obtain in the way of rectification and satisfaction, because our juries, as at present constituted, cannot agree on verdicts, and are often afraid of the "power of the press." And what is this power of the press after all? It is often nothing more than the conception of an article, the personal opinion on some subject or occurrence, the natural spite and venom, the want of proper knowledge and education, the lack of fairness, equity and impartiality, or the venality and corruption of *one single individual*, be he editor or reporter. And this is what we are pleased to call "public opinion." Great

Cæsar ! We now come to the main sources of the legitimate income of the papers, *the advertisements*. These are generally classified by columns, and occupy a considerable portion of the sheet. We have nothing to say about the charges made on advertisements, although it seems to us that these could be considerably reduced by diminishing the reading text of the other portions, one-half of which is generally useless trash of no public interest whatever. After all it is the *advertisements* that sustain and enrich our papers, and the advertisers are entitled to and ought to insist on *larger type* and *more space* for their good coin. There ought to be a *responsible editor* for each paper, a learned, cautious, impartial and fair-minded man ; he need not be particularly gifted, if he is assisted by talented writers ; but it should be his province to examine every article, every news item, every leader, that it is proposed to publish in the next issue,—correct and amend such as seem to him defective and improper, and reject all such as are not fit for publication, useless and void of interest. In short the responsible editor ought to be the censor of the whole work and be held liable for transgressions, independently of judicial measures by the courts when complaints are preferred. Sensationalism has during the past thirty or forty years produced an entirely new species of men,—the “reporter,” whose profession might be an honorable one, but unfortunately is not what it ought to be in many cases. The reporter is badly paid, but it is expected of him, that he produce items at any cost and by any means, and that he furnish a certain amount of copy. In cases of the arrival of distinguished travelers and other notable persons, they rush into their privacy and endeavor to interview them at all hazards. If this privilege is denied them in rare instances, they often revenge themselves by flippant and sarcastical observations in writing, thus producing erroneous impressions concerning the objects of their curiosity. We all know that there are many and brilliant exceptions to this general rule. There are reporters who have a higher aim than vulgar curiosity, and who are possessed of courteous and gentlemanly manners ; we are only too happy to admit it.

Whenever a crime is committed, the papers, instead of limiting themselves to stating the simple facts without any embellishments and precocious comments, go to work immediately, even before the minions of the law have been able to perform a duty that exclusively regards them, send out their reporters to investigate the occurrence in the closest manner and print this information, before it has been properly sifted, by which improper process the ends of justice are often foiled for the time being, if not absolutely defeated.

Newspapers should not be over eighteen inches by twelve inches in size, be printed on good paper and with clear type, larger by all means than that in use at present. The news should be properly classified in columns with the respective headings, so that the reader can easily find what may be of interest to him and skip the rest if he wishes to do so. The leading articles should be fewer and of a higher standard of excellence than the ruling conglomeration of "stuff." Everything contrary to public decency, propriety and morality, and all offensive personalities, as well as sarcastical, heartless criticisms, should be rigorously excluded from the columns, and the journal be such as can be laid before the family without any hesitation. The papers are intended for public information and instruction, and not for the edification of the evil disposed and the vicious element of society.

Considering the excessive liberty of the press, the enormous influence it can exercise for good and for evil, and the many privileges it has assumed through years of toleration and apathy on the part of the public, it may justly be asked if that same press should not be subject to some sort of control, of censorship, by the authorities. Liberty of the individual and of the press are not at all absolute; in the same manner in which a solitary person cannot in public indulge in all the whims and caprices that may occur to him, in that same manner is the press, be they newspapers or books, bound to observe certain rules and abstain, voluntarily or by force, from hurtful and obnoxious text. The laws governing this very subject are insufficient and require a revision with a view to strengthen and to better enforce them. A few prompt convictions and heavy fines would very soon bring the proprietors

and editors to their senses. We admire the system in force in France, Switzerland and other European countries, where great liberty is enjoyed by the press ; but there is also retribution for its offenses in the shape of fines, imprisonment, confiscation of improper editions, and, what seems to work miracles in this line, suspension of the paper for a week, a fortnight, or a month, equivalent to the ruin of any prosperous sheet for a certain period. With the nine-jury system we referred to in a previous chapter, and a two-thirds vote, convictions would be easily obtained, and, if the jury do not agree, let the honorable judge render the decision.

It is a grievous error to suppose, as is often alleged by our papers and their satellites, that the public are fond of sensational news, prurient and improper articles ; the people are nothing of the kind, a few insignificant fools excepted, and the improper material is forced upon us as a matter of fact. All protestations, criticisms and arguments against the excesses of the press are futile and useless ; nothing will reach them in an efficacious manner but fines, imprisonment and suspension.

By way of illustration of the tone and tendencies of our press, let us pick up a copy of one of the most influential western papers at random and proceed to analyze its contents, omitting the good and sensible portion of the complicated mass as worthy of approval. We at once strike a lengthy telegram coming from ocean to ocean informing us that Mr. N. N., a former sport and extravagant character of great wealth and of not very savory reputation, has been married to Miss B. B., giving the usual caricature intended as the portraits of the happy couple, and a lengthy, elaborate, flattering description of the ceremony, the family, the dresses worn, the presents, the names of the guests, the Scotch terrier, the wedding breakfast, where the honeymoon will be spent, etc. This telegram occupies over a column of the paper in close type. Now, in the name of goodness, we ask, what interest can the public have in this event, and what useful aim and object is accomplished by telegraphing the stuff at all? There is not one in a thousand that cares a peanut

whether this man N. N. gets married or not, and in what manner he gets married. We next find three columns of after-comments on the celebrated combat for coin and so-called championship, that has recently taken place in the country discovered by Ponce de Leon. These comments are very insipid, but probably interesting to many readers; but for the past six months or more we have been fed to satiety on news concerning the same fight, whether to be, where to be and how to be, and we can only deplore the alleged taste and interest of certain persons in prize-fight literature. Neither does it affect or interest the general public in the slightest degree, that a sensational suit has recently been brought by a single young woman for seduction and breach of promise to marry, against one of the silver-haired and probably silver-tongued Southern congressional luminaries. The details of that case, and the lengthy, complicated and tedious proceedings, are disgusting, and inspire us again with an irresistible feeling of contempt and deep sorrow at the manner in which this notorious case and many others are being tried by the courts, when three days, at the utmost, should have been sufficient to hear and render a verdict in favor of or against defendant. By such miserable cases is the time of our courts taken up for weeks together, and such is the tangling web of testimony, affidavits, cross-examinations, rebuttal, exceptions, ruling in and ruling out, adjournments and, last but not least, the arrogant, sophistical oratory of counsel, that neither judge nor jury nor the litigants nor the public are able finally to comprehend anything at all. Then follow five columns of congressional news and other items from the national capital, which might be read with real interest, if they were not for the most part composed of prognostications from the pen of political oracles giving their private opinions only, and believing themselves possessed of the far-seeing powers of a Cassandra. It is *facts, brief and concise*, that we want, and not possibilities, probabilities and personal opinions of those interviewed by the importune reporter. If Morse's wonderful invention is principally employed in our days for the propagation of such miserable trash, the sooner the wires are cut down and the batteries smashed, the better.

Here we have an elopement now: Mr. Briggs of Timbuctoo, a married man of no means, with a family of four children, has run away with a married woman, wife of a prominent merchant of Samarkand and mother of two infants, she taking away the *nervous rerum* in the shape of three thousand dollars. We will allow that this astounding (by the by everyday) event he briefly telegraphed to the chiefs of police of the neighboring villages and to the unfortunate relatives of the guilty fugitives; but we protest that the disgusting details of the venture should not be dished up in the papers for weeks and weeks. The irate husband (and we cannot blame him) is in hot pursuit; his dress, appearance, looks and words are given with the most minute description, and the alleged portraits of the principal actors printed (in reality grotesque caricatures). He threatens death and destruction to the ravisher of his unfaithful spouse, but is willing and anxious to bring back the erring woman into the bosom of the family. What a noble mind and generous heart that husband must have to thus forgive the poor, innocent woman who has committed no graver offense than that of making a more or less extended excursion in the company of a friend of the house, who as a matter of course in our enlightened country is alone to blame! In the name of common sense, who but the officers of the law, the friends and relatives, and very likely the hosts of the hotels where they stop for refreshment and rest, cares a straw whether these people elope or not,—what they do, say, eat and drink and where they sleep. Not one in a thousand; ergo, the publication of such stuff is out of place and a nuisance.

Half a column containing a telegram from New York of a fuss made by F. Ridgway Griffith, Esquire, at the door of the dressing-room of the world's champion, Corbett, which is not of the slightest interest to any one outside of the theater where it took place, is another absurd item for a rational newspaper. Of the seven leading articles contained in the paper before us only one is ably written and interesting; the other six are trash gotten up to earn the author's wages and to fill the space.

We might continue our extracts and quotations indefinitely, but refrain from doing so, in order not to fatigue the intelligent reader, "who knows how it is himself."

There is but one handsome illustrated paper in the United States of North America, published in the city of New York. Our dailies for some years past, in their indecent haste of outdoing each other, of getting more subscribers and more advertisements, have adopted the practice of doubtful taste and utility to fill their pages with illustrations, which in reality are nothing but caricatures as regards the features of the persons intended to be reproduced; they often look vulgar and even horrible. It certainly cannot be expected of a daily paper to furnish fine, realistic and artistic drawings for the modest sum of a few cents a copy; neither is there any demand, any need for such engravings on the part of the reader; so they had better be abolished and the efforts limited to an occasional plan or map, which requires no particular artistic endeavors. This omission would make a great reduction in the expenses of a paper, and we are only too happy to allow the management and proprietors of a periodical all the *legitimate* profit they can make, which will enable some of them to subsist comfortably without recourse to *blackmail*!

Our papers have another grave fault, which is too pronounced interestedness in the manner of furnishing news of current events. Any dispatches subscribed to and paid for by the Associated Press are printed, as a matter of course, and so are letters and many items concerning individuals, companies and societies that pay other than direct advertisements. Anything that might possibly savor of advertisement, or result to the advantage of any individual or corporation, is rigorously excluded, unless paid for. Suppose a circus of mammoth proportions arrives in town and proceeds to erect its gigantic tent on a vacant lot; when all is ready, a brilliant cavalcade consisting of a hundred horses, a dozen elephants, twenty camels and fifty cages of the animal kingdom, with numerous myrmidons, passes through the principal streets, to the great enjoyment of everybody, old and young. If that circus has not advertised in the papers, not a word is mentioned of it in their columns, although the advent of a circus is justly considered a public event of the

utmost interest. Suppose a great railroad system changes its schedule of running-time, departures and arrivals: unless that company advertises its time-table in the papers, no notice is taken of the alteration, though it affects the entire population. The list of arrivals at a first-class hotel, even, is only published if that hotel has a card in the paper and pays for it. If a paper regularly mentions the arrivals in one or more hotels, it must mention them all, or omit the item altogether, else it becomes partial and one-sided.

There are several papers in England, especially in London, which we admire very much on account of their superior style and appearance, and which we would cite as models, but for the small type prevailing in them also. As it is, these papers do not contain one-third part of the incongruous material accumulated in our American papers; neither is it at all necessary and proper that they should. They are also free from caricatures, so-called illustrations, thrust upon an innocent and harmless American public.

Newspapers cannot all be original, publish the very latest news, and surpass their contemporary journals in excellence; such perfection is entirely out of question, and the attempts to attain it presumptuous. If you have not sufficient copy of your own, borrow from others, quote their good articles, and do not be in the least ashamed of doing so. There is a pretty weekly published in Berlin, called the *Echo*, of magazine size, handsomely printed in double columns, which does not contain one single original article; nor does it pretend to give any. It consists only of carefully selected extracts and clippings from the most celebrated papers of the whole world; and, for this very reason, the *Echo* is of the highest standard of excellence and of great interest to its many German readers. It has no party tendencies, and is entirely impartial in politics, giving of course particular prominence to German events.

Comparatively few persons are vouchsafed the time for reading, study and travel for their instruction in the business communities of this country; they depend, therefore, to

a great extent on the papers for general knowledge. This is especially the case with the news from foreign countries, frequently of universal interest to our native-born and foreign population; hence the papers play the important role of public instructors and educators, and, as such, ought to fully appreciate their responsibility and strict line of duty. There is but one voice among the overwhelmingly decent portion of the population, that anything immoral, improper and of ambiguous meaning should be eliminated from the papers. A great many events had much better be entirely ignored than even partly published and alluded to. Details of crime and wickedness are not interesting and only harmful; and so are unpleasant personal disputes and controversies. The private life of a citizen and his family affairs are not subjects proper for printed public criticism, and should be kept sacred. We again say that it is but a small minority who crave the sensational, the indecent and immoral, and who gloat and rejoice over scandal, be it ever so great. The paper would certainly be benefited financially if it were of such pure and sterling quality that it could pass the threshold of *every* house without being subject to quarantine on the part of the family head.

During a recent useless crusade against the excesses of the press, we read the following sensible opinion in one of the resolutions :

“We approve of our papers in their energy and enterprise, but we believe the time has come for them to take a higher stand on the question of public morals. We deplore in them ‘sensationalism,’ not the exposure of crime. We deplore ‘personalities,’ not the public announcement of personal acts. We believe that it is a minority of readers who demand sensational, personal and immoral details, rather than a simple, clean statement of facts and truth. There is too often a minuteness of detail in the reports given of crime, wickedness and sensuality, which can gratify but prurient and vulgar curiosity, or awaken it in innocent and inexperienced minds. We feel that spreading broadcast vicious and debasing news in our homes and among our children, and the consequent knowledge and easy familiarity with

crime in all its forms, has a tendency to lower the tone of thought among the best of our people, and to strengthen the worst instincts among the morally lower classes. We therefore most earnestly and respectfully petition the press at this time to make a concerted effort to elevate the moral tone of their columns, and to give us newspapers free from the evils we deplore, feeling confident that the majority of the public will encourage such an effort, and promising our heartfelt co-operation and support."

There are certain weekly papers printed in the East on pretty, rose-colored paper; but, as the saying is, "no rose without thorns;" they are full of criminal, prize-fighting and other vicious and immoral items, illustrated by vulgar, obscene and entirely unartistic engravings, nearly all drawn on the same model, particularly the never-failing full-sized female figure in tights, representing some second-hand variety actress. These publications ought to be immediately abolished by law; as it is, they are generally found in low saloons, bootblack stands, and exhibited in the show windows of small bookstores, although we have on more than one occasion surprised them in the homes of respectable ladies, who must have got hold of them in some innocent manner. These rose-colored weeklies are regularly constituted apologies of crime, and very seldom contain any but obnoxious text and stupid, lewd pictures.

What we find blameworthy and condemn in the newspapers, we also find fault with in other literature, although not to such a strong degree, because books we can select ourselves; they are not thrust upon us like the items in the papers, whether we approve of them or not. There are a great many books which, though containing matters improper for young people to read and remember, are of great literary value and necessary for information and instruction, such as the classics, medical and other scientific works. These should be kept separate under lock and key in the families and public schools, access being only allowed to those entitled to read them by virtue of their age and preliminary studies.

The publishing and selling sensational books, dime novels of the "trash" quality, and other stupid and pernicious literature, leaving alone obscenities, should also be prohibited by law, the works condemned, and the authors and sellers fined. This would by no means be an encroachment on the liberty of the press and its many brilliant and eminent workers, but a check on the *license* of the press in the interest of decency, morality and propriety.

V. EDUCATION.

IF THE writer of this little book had chosen to sing the praises of and do homage to the grand and splendid country which it is our good fortune to own and live in, his task would have been much more pleasant and gratifying than that of constituting himself into a stern censor of our public organizations and institutions. He could then have dilated to his and everybody's heart's content on the vast extent of this nearly square Republic, bordered but by one country north and one south, and by two mighty oceans east and west ; on the variety and beauty of the scenery in most places ; on the rough formations of hills and mountains in other regions ; on the mighty rivers, lakes and streams, headed by the Father of the Rivers, the mighty Mississippi ; on the richness and fertility of the soil ; on the genius, activity and enterprise of the inhabitants ; on the agricultural and wonderful mineral and metallic wealth brought to light for the benefit and enjoyment of the whole globe ; on the free institutions, ever subject to the control and pleasure of the people, and on a host of other advantages and blessings bestowed by the Almighty, by nature and by humble man on these lucky United States of North America. But, unfortunately, such is not the writer's proposition, aim and object. Leaving this to a different style of "composers," he has, in a purely humanitarian and essentially patriotic spirit, taken upon his shoulders the unpleasant and ungrateful duty of finding fault with what seemeth to his scrutinizing mind and unusual experience, improper, defective and dangerous in our laws, institutions and the whole of the political organizations. In the pursuit of this great task we have now come to a chapter, in which we are pleased to say there is but little to criticise ; no words of deep indignation and reproach are needed in this department, as we were compelled to make use of in the previous chapters and will have again to resort to later on, much to our regret.

Compared with the public schools of other countries, those of the United States probably stand at the head of all. Vast amounts of money, levied by general taxation, are expended on countless fine, appropriate school buildings, comfortably fitted out, ventilated, heated, and supplied with all the necessary utensils, books, and other apparatus required for the purposes of education. Fine teachers, of both sexes, if not always the best, preside over the classes; the children are treated with great justice and undisputable fairness, and, if any pupil is really desirous and anxious to learn, he has every chance afforded him to do so. Compared with European public schools, we have often been struck by the remarkable difference in the conduct of the scholars inside and outside of the schoolhouses. In Europe there is more ill-conduct in the classes and consequently more and severer punishment needed than in our country. The noise and turmoil upon being dismissed for recreation, or at the close of school hours, is something unpleasant to the American ear; because we are accustomed to see the children retire from the building in a systematic, orderly manner and repair to their homes without any disgraceful shouting and scrambling around like a herd of young goats. Our text books, too, are superior to those of other countries, nicer print, and durable, often elegant, binding; their cost is trifling, and those children whose parents are in indigent circumstances are supplied the requisite books free of charge and of humiliating conditions. So much for the public schools up to about the fifteenth year. As for the private educational establishments of Europe and the higher departments of education and the great universities, they are undoubtedly superior to ours in many respects, a superiority that is easily accounted for by the fact that the academical preparatory colleges, "gymasia and lycea," as they are called there, as well as the famous, incomparable polytechnic schools and the world-renowned universities, are owned and supported by the government, and do not depend in the slightest degree on the caprice of the students and the fees to be paid for instruction. The government employs the very best and most excellent professors, pays them liberally, and expels any transgressing student without hesitation, which is not the case

in our sectional colleges and universities, that partly depend on the students' contribution and are over-indulgent for offenses committed and for lack of application.

In our age of progress and general democratic development of equality, it is but proper that every child should be afforded and even compelled to receive some education ; but here a strict line should be drawn ! The State cannot and should not be expected to give every man and woman an elaborate, classical, superior education free of charge ; let such parents as can afford to keep, feed and clothe their children from the age of fifteen up to the period of graduation from the higher educational establishments *pay for that advantage and comparative luxury !* The ordinary citizen of limited means and the poor man are taxed to provide for the support of the public schools ; but is it right and equitable that, after he has been compelled by circumstances to withdraw his children from the further attendance there, because he has to put them to some trade at the age of sixteen in the case of the boys, or needs the girls at home for household duties, that he should continue to contribute for the cheap and higher education of the rich man's children ? We say, it is wrong. Commencing from the highest grade of the grammar school the scholars should be admitted to the high schools, colleges and universities only upon the payment of a corresponding matriculation fee and semestrial contribution for the courses, that will prepare him for the so-called nobler professions, supposed to give him an easier life, higher standing, and a better income than the less fortunately situated. Neither should any other branches be taught in the common schools but English (no foreign languages on any account), writing, reading, arithmetic, elements of geometry, geography, history, morality and manners. This is quite sufficient for all ordinary purposes, and will take from the age of seven to that of fifteen to acquire.

It would also be much better, if all schools were placed under the control and supervision of the State, particularly the high schools, polytechnic schools and the universities, suppressing the money-seeking, inferior establishments flourishing at present. Religion, as a confession and in a sectarian sense, is excluded from the public schools by law ; and a wise law it is,

because the great variety of faiths, the different modes of practicing them, and the still wider difference between our so much vaunted Christian creeds themselves, as well as the strong Hebrew element, make it imperative to keep the schools free from these heterogeneous influences in order to prevent discord and troubles of all sorts and to preserve complete harmony among the pupils, who thus meet on perfectly neutral ground in the common sphere of education, free to all. On the other hand, since there are no religious classes given in our schools, something ought to be substituted in their place, such as a semi-weekly or weekly hour of instruction in morality, good conduct at home and in public, and above all, what we are sadly in need of, *urbanity and good manners*.

The religious instruction imparted to our children at home, in church and in the Sunday schools is more than sufficient. Any creed, sect or congregation that seeks to pervert the existing conditions by endeavoring to introduce sectarian teachings in our public schools, or claims subsidies and support from the public funds on any pretext whatsoever, becomes a danger to the welfare and good harmony among the people. There are too many examples in the history of schools and education to allow the least doubt on this important topic.

In most of the public schools, women, a great number of them in their teens themselves, are employed as teachers. This is very well for the smaller children and even for the girls, for whose guidance through seven or eight years of teaching women of a certain age will answer very well in all grades, provided they have the good fortune of possessing the necessary standard; but boys over the age of ten ought by all means to be under the strong and more awe-inspiring control of male teachers. The public school-teachers are generally well paid and cannot complain of lack of vacations, since the summer and winter closing period, the tri-monthly week of rest, and the weekly Saturday and Sunday recesses, including the legal holidays, amount to about one hundred and sixty days, whilst the school hours during the balance of two hundred and five days are but six hours a day. We admit,

though, that the government and tuition of even a well-regulated class of fifty or more children during six hours is not an easy nor very enviable task, having had considerable personal experience in this line ourself.

The propriety of having both boys and girls mixed together in the higher grades is questionable ; but opinions differ on this subject, as they do in many others, and in some schools the system works quite well, if the teacher is one that is able and competent to control and govern those placed under his charge. A weak or too lenient teacher would not answer in a mixed class.

In the same manner in which we have in a previous chapter preconized the absolute necessity of making all public employees permanent, the higher elective officers excepted, so even should our public teachers be sure of their positions as long as they are physically and mentally able to fill them, be entitled to promotion in due time when vacancies are to be filled, and be pensioned after a certain period of service on half pay.

The calling of a teacher is not only most honorable, but one of great importance and responsibility. Every adult knows that the time he spent at school is the most important of his life and forms the basis of his future career. All honor and respect, therefore, to our teachers !

Universal higher education, such as our misguided philanthropists do not tire of preaching, would be a calamity for the human race, because we are not all equally situated in the way of worldly goods and cannot all trace our careers and existences in harmony with the higher ideas and pretensions created by great knowledge. If we all penetrate the mysteries of philosophy, mathematics, the beauties of Greek and Latin classics, and the sublimity of natural sciences, we should all want to adopt genteel callings ; and there would be no farmers, no laborers, no artisans, no sailors, no soldiers, no cooks and bottlewashers, professions that will ever be needed, as long as mankind exists, in spite of all our mechanical contrivances for

the aid and relief of our handiwork. All learned professions are overcrowded nowadays; this is mostly due to too much education, that renders the masses unfit for manual labor, and ever aspiring to a way of living that is unfortunately not within their reach.

An immense number of persons, who in former times worked honestly and contentedly with their hands, as their fathers had done for ages before them without complaining, because they knew no better, are now educated to work only with their brains. This would apparently tend to a general leveling of the different social grades of society, were it not for the insurmountable conflicts of character and abilities. The son of the artisan wants to be a lawyer, the son of the lawyer a banker, the son of the banker President of the United States of North America, and so on, with everlasting ambitions and pretensions. We have an over-abundance of clerks, half-educated teachers, any number of graduates from business colleges, academies and universities, that swell the ranks of genteel but unprofitable professions, instead of plenty of good farmhands, bricklayers, carpenters, cabinetmakers, blacksmiths, bakers and other useful artisans, who can always help themselves in some way or other when they happen to be out of work. It cannot be denied that the years spent in higher intellectual education unfit most men for manual labor and prevent them from earning their bread by their hands. None of the graduates of colleges and universities can dig with the spade, as their fathers did; they are unfit to be anything else but what they graduated for, and starvation, or at least privation, is the sad lot of many. In former times the number of scholars was small, and the universities conferred on them the degree of fellowship, thus becoming responsible for the welfare of the graduates for some time at least; but this practice has become obsolete with the increase in the numbers of the students; they must now look out for themselves.

A higher standard of learning and consequently more years of hard study should be required of the candidates for university honors, and no lawyers, physicians, chemists, druggists, etc., be permitted to practice their calling, unless honorably passed by a board of examiners appointed by the Government. It is all

nonsense to presume that the law can be studied as it should be, by being messenger boy, clerk or assistant in somebody's law office, and that a genuine, competent, honorable lawyer can be formed in this manner.

Lucky are those who can obtain a so-called "classical education," comprising a thorough study of the Greek and Latin languages, especially the latter, which forms the root of the principal modern languages, and derivatives from which are used for most scientific terms and for the higher conceptions. The effects of a classical education follow the owner to his grave; it throws a halo of superiority and refinement around him, which will prevail even after he may have sunk into the lowest depths of depravity. This leads us to the subject of languages. Ancient idioms have become superfluous, though their beauty as compared with our modern tongues will always prevail. The latter are mongrel mixtures brought about after the dissolution of the Roman Empire; but in spite of so many centuries their Latin origin has not been entirely effaced. Italian, beautiful as this language undoubtedly is, stands far below Spanish, the purest, simplest and yet richest in synonyms of all our modern languages. Opinions may differ as to the relative beauties and merits of Spanish and Italian, but we base our preference for the incomparable Castilian tongue on the following facts: Spanish is composed of words partly derived from the Phœnician, Greek, Gothic and Arabic, on account of the different invasions and colonies in Spain; but it abounds principally in Latin words, a great many remaining unadulterated to this day. The conjugations of the verbs, too, have retained most of the original terminations and render the use of personal pronouns superfluous. This is due to a Roman occupation of Spain for some six hundred years, the first Roman army having appeared there in the year 216 B. C., the Goths coming in turn in 416 A. D. The Romans finally lost their remaining possessions at the commencement of the seventh century, and so their occupation extends to over eight hundred

years. No wonder that the unique and splendid Latin language should predominate in the modern Spanish to such an extent. At the fall of the Roman Empire the Latin language became adulterated through the conquest by the Goths, as the conquered nation was compelled to learn the uncouth language of the conquerors, and the latter acquired part of that spoken by the defeated. The Goths could not master the declension of Latin nouns, and substituted prepositions to the terminations of the cases. They acquired mastery of the Latin conjugations of verbs, but found it expedient to use an auxiliary verb for the passive participles. When the Arabs took possession of the southern portion of Spain in 711 A. D., and brought with them the highest civilization known in those barbaric times, culture, refinement, arts and sciences, many Arabian words were introduced into the Spanish and can be easily recognized. In a previous chapter we have already mentioned that famous monarch, King Alfonso the Wise, who contributed more than any other monarch to the splendid formation and subsequent perfection of the Spanish language. Literary and poetical works were written in Spain from centuries ago to the present day, unsurpassed by those of any other country. The language, especially the orthography, has been simplified from time to time by the decrees of the Spanish Academy of Sciences founded centuries ago; and there is not one single letter in the language of Lope de Vega and Emilio Castelar, that is not necessary and unpronounced, which is more than can be said of any other language in existence, to wit only the English abnormity of confused, arbitrary words and capricious pronunciation, and the abundance of silent letters and of diphthongs in the otherwise beautiful and brilliant French language. German comes nearest to Spanish in richness of words and in the manner of pronunciation; but there are too many double and superfluous letters that need rooting out.

A necessity for a universal language for civilized nations in their intercourse with each other appears to have sprung up, and it would undoubtedly be very useful and practical to adopt one. A German priest invented the queer but novel idiom called "Volapük," and recommended it as the universal

language. But why increase the many Babylonian tongues now in existence, when we already have one so perfect, rich, beautiful and yet so simple in construction and grammar? The Spanish language, already spoken by some sixty millions of people, ought to be taught in the schools of every country, in addition to the native tongue, to serve as a medium of communication between the nations, and the whole abstract question would thus be practically solved at once.

A strong and necessary move has been made lately in different parts of the country against the use of the nasty and pernicious paper cigarettes by boys of tender age. Nuisances of minor importance than cigarette-smoking are abated by law, and we cannot see any earthly reason, except the loss to manufacturers, why boys and girls under age should not be prohibited by stringent laws to smoke cigarettes in the streets and anywhere in public, even if foolish and apathetic parents, teachers and guardians will wink at the dangerous habit and countenance it at home. By this restriction a positive benefit would be conferred on our young people. The smoking of the paper covering the tobacco, seldom of pure quality, and still more so the inhaling of the paper-smoke into the youthful, tender lungs, will in a short time seriously impair the constitution of the youngsters, produce nervousness and frequently result in pulmonary diseases and premature death. This ought to be sufficient reason for enacting the corresponding laws throughout the country in the same manner in which the sale of wines and liquors to minors is forbidden, or supposed to be forbidden; but the great trouble is, that our laws are not properly enforced. In fines of this nature alone the Government could derive a very respectable revenue.

Children under sixteen years of age should not be allowed to be out on the streets after eight o'clock, except in the company and under the protection of grown persons; nor should such children be permitted to visit any theater or other places of amusement, without being accompanied by parents, guardians or friends. Neither this regulation, nor

the prohibition of cigarette-smoking, would be any more an encroachment on personal liberty than the prohibition to purchase liquor in saloons, etc. Such salutary rules would simply benefit the parties for whom laid down.

The Superior Council of Zürich in Switzerland, a beautiful city of over 90,000 inhabitants, the suburbs included, and famous the world over for its educational institutions, has just passed an ordinance forbidding children under fifteen years of age to circulate on the streets and public squares after sunset, unless accompanied by grown persons, and their parents or guardians are held responsible for the observance of this ordinance.

VI. RELIGION.

WHAT the public and private schools are for secular education, the churches and Sunday schools are expected to accomplish for the spiritual and moral education of the people. It is a sad sign of the imbecility of man, that after so many thousands of years of experimenting in doctrines, dogma, confessions of faith in public and in private, theses, polemics, discussions, wars and endless fighting on religious pretexts, we, the presumed enlightened portion of the inhabitants of this terrestrial globe, should not have come as yet to a final conclusion on the subject of religion, so as to have but one deity, one creed, one ritual of church service, one catechism, and uniformity at least in the outer phases of adoration.

By the side of the several powerful religious denominations that prevail in these United States of North America we find an unusually large number of confessional sects, each pretending to possess the only real road to salvation, each striving to exist clerically and financially as an independent body with more or less costly church edifices and salaried ministers of the faith. What folly and what a waste of money ! If centralization in State affairs is conducive to good and powerful government, uniformity of religion would also give the churches more influence for the real good of mankind. But, unfortunately, new sects spring up every day and create a craze and confusion in religious affairs, that only comes to confirm Edison's "*bon mot*" of this country rapidly becoming an insane asylum full of crazy people. This state of religious affairs we have partly inherited from our English ancestors, whose persecution of the Puritans drove these intolerant, over-austere people to the American colonies, and to their spread and narrow-minded doctrines are we greatly indebted for some of the evils now afflicting the body politic, because the Puritans have always endeavored to influence the laws and mix in matters entirely foreign to true religion. Not satisfied with their own austerity

and blind, intolerant bigotry. they want to coerce all others to their own way of practicing the faith, in striking contrast with the teachings and persuasive methods of Him whose precepts they pretend to follow.

The writer finds it but proper here to state that, at the early age of fifteen, strictly brought up in the tenets of the church to which he belongs by birth and baptism, in consequence of advanced studies, uninfluenced by any living person, or by any anti-religious writings, which he had never seen at that time, discovered the true light in his own heart and framed for himself a religious creed, which, if made known to the public, would probably attract more proselytes than Martin Luther, Jean Calvin and Ulric Zwingli, who certainly created an immense stir by their doctrines in their time and became the fathers of Protestantism. In consequence of this singular spontaneous dawning of light in our own heart, a light that has ever since been burning brightly and will only be extinguished with death, we are enabled to look upon all religious creeds, confessions and sects with absolute impartiality. Neither do we propose in this work any analysis, dissection or criticism of any of the different religions; far from such a course, our object is only to point out the defects and anomalies at present prevailing in this country of the Lord, and to show the dangers besetting us in a political and social sense.

A brief list of the principal religious confessions and sects that prevail in the United States of North America will not be out of place: the Roman Catholic, the Episcopalian, or Church of England, the Lutheran, Evangelical, Reformed, Unitarian, Presbyterian, Methodist, Adventists, Mormon, Spiritualistic, Theosophical and a host of other churches, besides the numerous Hebrew congregations that have also commenced to dissent in matters of orthodoxy after so many thousand years of unbroken faith in the God of Shebaoth. Some of these churches abstain from all interference with worldly and political affairs; others take an active hand in them, and thereby draw upon themselves the more or less open reprobation of the people in general, as well as the animosity of the other creeds, a policy that will

certainly not lead to that interior peace, quiet and harmony, to which the citizens of our country are so justly entitled, were it only for the great boon of liberty of conscience and exercise of religion guaranteed by our Constitution. As it is, the spread of insignificant sects and the general disorder surrounding religion at the present time in our country have become not only annoying to the patriotic and sensible portion of the people, but they are also a positive danger to the public welfare. In consideration of the very liberty and independence guaranteed to the different churches by the fundamental charter, these same churches ought by rights to endeavor by all means in their power to preserve the utmost harmony among each other and among the people. The most sensible and quiet of all, those who neither interfere with other creeds, nor endeavor to make proselytes by conversion, are the Jews ; neither have they any particularly meddlesome or influential ministers of the faith ; the rabbi and cantor have but little to say inside of the synagogue and much less outside of it ; this is a well-known fact, though perhaps seldom referred to.

The Protestants complain of the spread, encroachments and power of the Roman Catholic Church in the United States of North America. No wonder ! This is the oldest of the Christian confessions, having existed as such for nearly sixteen hundred years and presenting one solid, united front under the sovereign dominion of the Curia in Rome, to whom are subject the archbishops, bishops, curates, vicars and clergymen of all ranks and orders, secular as well as monastic. This formidable, solid, united body is still further strengthened by the militant order of San Ignacio de Loyola, the most powerful and best-organized society or combination of men the world has ever seen. San Ignacio de Loyola on his death-bed left his disciples as a legacy "the whole globe," and the Society of Jesus was mighty near at one time to taking possession of that vast inheritance, had it not been for their excessive greed and immoderate pretensions, that compelled nearly every government in Europe to resort to their expulsion and the confiscation of their immense real wealth. They were not even spared the papal bans, though afterwards

restored to the bosom of the church. Neither must it be believed that the Society of Jesus has lost most of its power and influence. Far from it; they have become more prudent and circumspect, that is all. Under such auspices and with its perfect organization, the fruit of sixteen centuries, the Roman Catholic Church has naturally preserved its superiority over all other Christian denominations that sprung from it at various periods; and its head at Rome, though deprived by the policy of united Italy of his worldly government, is still treated as a sovereign prince by the Catholic and most of the Protestant countries. But it is not alone the *unity* of the Catholic Church that constitutes its great strength. In this age of mammon, when gold is the prime factor and archimedean lever of the world, the Catholic Church has kept a shrewd eye on its finances, and by a careful and clever system of preserving and acquiring real and personal wealth, it has again placed itself on that high plane of influence and power, the attainment of which has ever distinguished the pillars and lights of the faith from its first conception as an organized body.

On the other hand, whilst we see the Hebrews pursue their comparatively calm and even way in this country, where there is no oppression, no pillage, no contumely of this ancient race, so full of physical vitality and intellectual gifts, we are grieved to witness the dubious proceedings of the Protestant churches, who still waste their time and energies in useless wrangling and punctilious disputations on matters of faith that ought to have been definitely settled half a century ago and have disappeared from the field of pending questions. You complain of the power and penetration of the Roman Catholic Church in the United States of North America, and yet, fully knowing the causes of that strength and the progressive propensities of that church, you persist in your unhappy dissensions in your divided larger and small bodies, justly entitled to the name of "sects," because they are but sections. You mix in politics just as much and more so than the Church of Rome. You interfere with the reasonable and decent enjoyment and recreation of the poor toiling masses on the Sabbath of the Lord, set apart by divine and human law for rest and refreshment

after six days of labor, and not for intolerance, stupid bigotry and often hypocritical Phariseean censure of those who differ from you in religious opinions. This has become a regular curse in our country. Religious liberty, indeed! There is very little of it left, and that little is one-sided. Let the Protestants unite, combine, organize themselves after agreeing on a uniform and reasonable confession of faith, which it would be so easy a matter to accomplish, and they will present an even broader and more solid front than the Roman Catholics. Here lies the whole secret! Bear in mind the national motto, "*E pluribus unum*," and remember that it applies not only to political strength, but to better mutual support in all matters.

The Protestants here are continually building houses of worship, selling others and mortgaging most of them. They do not have the necessary stability like the Church of England, which therefore wields considerable power, notwithstanding the fierce attacks to which it has been exposed of late years.

The Church of England is respectable, and its minsters are of a far more honorable and estimable class than ours. Hypocrisy is less prevalent there, and the lives of the clergy are more free from the many defects by which the American clergyman seems to be afflicted. This is owing in a very great measure to the loose and arbitrary manner in which the appointments of ministers of the gospel are made in our country. Hardly any qualifications are required to mount the pulpit: any cranky fool able to impose on the bigoted and credulous, especially in smaller towns and villages, is eligible to the sacred office; and thus is it that there are so many black sheep in the fold and that the instances of the reverend brother having "fallen from grace" are of almost daily occurrence.

No man should be permitted to take holy orders who has not passed a regular course of many years in a university or regular seminary, to fit him for his sacred calling, and only after a public, satisfactory examination. He should also be at least thirty years old to be placed in *sole* charge of a congregation. The loose custom introduced of late, of some of our divines sporting mustaches only, should be

discountenanced. Somehow a man wearing nothing but a mustache or a goatee, or both, looks not at all like a holy man; his appearance is decidedly profane, whilst a clean-shaven face, or a full beard and mustache like the Saviour's, tends to give the ecclesiastical wearer of it an air of dignity if not solemnity.

No services, processions, preaching, or anything of a religious nature should be tolerated on the streets and squares on any account and under any circumstances. Sectarian performances in public are offensive to many that profess a different creed, and are apt to throw contempt on the exhibitors, like for instance the roaring dervishes preaching to a set of fools at street corners on Sundays and the grotesque antics of the so-called Salvation Army.

In England, where the people do not seem to be satisfied with the vast quantity of religion supplied to them by the established church, the free churches of other confessions and the Catholic Church, the Salvation Army has a large and profitable field. We do not pretend to criticise this anomalous congregation of zealous believers in military uniform and bearing military titles from field marshal down to corporal, borne by both sexes, and we have no doubt they do a great deal of good in their way; but it is an intolerable nuisance that they should parade the streets in the day and night time, carrying the national emblem and regaling the ears of the astonished passer-by with a cacophony of detestable music and monotonous singing of hymns. This is simply making a farce of religion and should be abolished by law, as it has been found necessary to do in continental Europe. Switzerland even went so far as to expel the Salvationists from her territory, because the disturbances created by them and the indignant people on the public streets and squares became so frequent that such stringent measures became necessary. The inhabitants of Switzerland are very sensible, practical people and will not countenance anything liable to cause new religious troubles, after all she has had to pass through in this respect for centuries, when the struggle between Catholics, Calvinists and Zwingliites was raging so fiercely. Switzerland is a poor field for humbug; on the

other hand her territory is open to the refugees of all nations, who find a hospitable and generous asylum in her cities, towns and villages, provided they behave themselves and observe the wise and just laws of that splendid little country. Obnoxious persons are expelled by the authorities, and little mercy is shown to anarchists who come to disturb the public peace by word, speech and acts.

We have already alluded to the American missionaries going abroad for the purpose of making conversions to Christianity in *partibus infidelium* (in the land of the infidel) and to the absurdity of such expeditions, when not only our national written and unwritten doctrines prescribe to us the necessity and wise policy of leaving other nations in the peaceable enjoyment of their lands, customs and religions, but when there is such a vast field for missionary labor in our own midst, especially in the overcrowded large cities. Most of these so-called missionaries are attracted to their singular calling by the novelty of travel abroad, the desire to study customs and languages, to open commercial relations and also for the sake of their emoluments; the missionary work in many cases is but the pretext. It is a great pity for the immense sums expended yearly for missionary purposes and the printing of bibles and tracts, for which nothing is reaped in return but the illusory glory of having converted a few heathens and Mohammedans to the religion of Jesus Christ. If the Lord had deemed it proper, in His infinite wisdom, that the seven or eight hundred millions of Chinese, Hindoos, Mohammedans, negroes, etc., should become followers of our own faith, He would have brought it about in a more expeditious manner than by the aid of our missionaries or of any other missionaries. The Christian religion, the way it is handled by these people, has rooted out the original population of many a region, to wit, the Hawaiian Islands, where a population of three hundred thousand strong and healthy aborigines has been reduced in fifty years to a sad remnant of forty thousand rachitic and feeble beings, though they are the best natured of people. The Jesuit fathers, who first went

abroad as missionaries for the Catholic Church, proceeded in an entirely different manner ; they were earnest in their Christian efforts ; they did not confine themselves to orthodoxy and religious instruction, but they really civilized the heathen, taught him to read, write and work a trade, the cultivation of the soil, the raising of cattle, and thus became real benefactors for those poor, innocent people. Many Jesuit missionaries suffered martyrdom after undergoing unheard-of hardships, privations and other calamities. There was something admirable and heroic in the sacrifices made by those fathers compared to which the exploits of our present missionaries seem ridiculous.

There are also quite a number of Chinese missions in this country supported by anonymous contributors, like the supporters of the Salvation Army. These Chinese missions receive adults and children of the wily Mongolian hosts and endeavor to bring them over to our Christian doctrines. In some cases they are successful, but the great majority of proselytes only visit the missions in order to learn to read and write English, get board and lodging, clothing, etc., for the time being. You might just as well go to the top of Mount Elias and endeavor to blow against a northwesterly gale, as try to convert a Chinese, male or female, to a creed which they abhor and despise as they do the white and black races. They think theirs is the true religion and their civilization, manners and customs superior to ours, and for all we know they may be right. The white man pretends to be of higher value than all the other four races, simply because his skin is not colored ; very often his liver is white too. Where is the brotherhood of man, the equality of the races created by the Lord ?

Regarding the missionaries sallying forth from these United States, we repeat that the Government should make it known unto them, that they will not be protected as such if they get themselves into trouble in foreign countries in consequence of their intrusive religious interference, but only as simple American citizens, subject for the time being to the laws and regulations of those countries, whilst they sojourn in them. This would avoid a host of international complications and be

nothing but fair and just to all concerned. Of course the missionaries and their protectors think differently.

At different times donations and bequests by will have been made to churches by the generous and pious ; especially is this the case with the Catholic Church, which owes its worldly possessions in a great measure to such bequests. A lady of great wealth some years ago donated a very large sum of money for the erection of a Roman Catholic university, which was a most munificent act on her part and no doubt most highly appreciated by the Catholic clergy and people in general. The erection and endowment of a Catholic university for the higher instruction of the candidates for holy orders, and for the cultivation of profane sciences in general, is quite proper, as a matter of course. We have seen the magnificent structure in the suburb of the national capital and admired its proportions and architecture ; but we cannot help to disapprove of the fact of that university having been placed in Washington instead of in any other part of this great country. The Government should not have allowed it ; it has no business there if it does have an object. The Federal District, *as an entirely sacred and neutral territory*, ought to have been kept absolutely free from any such institution, religious or profane, no matter which. It was very poor policy on the part of the heads of the church to fix on the District of Columbia, and incomprehensible carelessness on the part of the Federal Government to consent to it. This university, or any other university, should be located in some quiet, beautiful spot, far removed from the turmoil of politics, the attractions of a great city and the too easy intercourse with the profane world.

Whether the church intended to be near the seat of the National Government for any political purpose, with the ulterior view of exercising a certain influence on Congress and the departments, or whether that university was merely located at Washington to participate in the prestige surrounding even its mere name, we are not able to say. Religion, however, must forever be kept aloof from politics, and politics

from religion in this country, if we do not want to see it go to pieces; for this very reason religion and sectarian doctrines cannot be associated with our public schools on any account and under any circumstances. For the same reason it is improper that a Protestant chaplain should be appointed to offer prayers in Congress; no chaplain is needed there at all; the President of the Senate and the Speaker of the House of Representatives ought to be fully qualified to offer prayer at the opening and closing of the sessions, and these prayers are sure to rise to precisely the same altitude from the surface of the earth, as those of an ordained, professional clergyman. The Eastern portion of the Protestant clergy are continually meddling with politics and endeavoring to influence legislation in State and Federal affairs, especially the Methodists, who, true to their anomalous denomination, never tire in advocating prohibition measures, Sunday law ordinances and even pro-Chinese laws, because they want to save the souls of half a dozen Mongolian brethren and have a few score of missionaries canvassing in the celestial empire who might come to grief.

Why do not these sanctimonious people content themselves with the salvation of their own souls and receive into the bosom of their church those that voluntarily present themselves for that high honor, instead of pretending to interfere with the actions and rights of their fellow-citizens of different religious and political opinions? Live and let live! Confine yourselves (by "yourselves" we mean every creed, sect and denomination) to the services within the walls of your temples and other sacred houses of worship, and never lose sight of that really Christian spirit of toleration, forbearance and kindly indulgence so repeatedly preached by your Saviour himself!

Provided a Roman Catholic fulfills the light duty imposed upon him to attend church on Sundays, he is at liberty to visit public places of recreation, amusement and instruction, such as public libraries, museums, picture galleries, even theaters, concerts and other lighter entertainments, things a hard-working laborer and dependent employee cannot do during work days. The mind is cultivated and the spirit relaxed

thereby after six long days of hard toil, and there cannot possibly be any harm in innocent, decent recreation on Sunday any more than on week days, if it please the Puritans, who think they are still living in the times of Cromwell and Queen Anne. Nobody will interfere with those austere zealots if they remain at home and celebrate the Sabbath in their own way by prayer, psalm-singing and fasting. Many Americans, not Roman Catholics, but just and sensible people, are of the same opinion, especially those who have had an opportunity to witness the way the Sabbath is observed in continental Europe. Of late years England has relaxed her Sunday laws, and large numbers of jolly people enjoy their outing, music, etc., by steamer and rail in Hampton Court, Richmond and other pretty places, and in the public parks of London, where bands furnish beautiful music.

Ever since the furnaces for the incineration of the dead, called in technical language "*crematories*," have been invented in Europe and subsequently introduced in this country, a great deal has been written and spoken for and against a system of disposing of the increasing number of dead, which is beyond any doubt superior to the prosaic process of burial in a coffin in the earth.

The reasons in favor of cremation are many and well founded, all the cant and sophistical arguments of the proprietors of graveyards and protests from religious sources notwithstanding. We have personally inspected the world-famed crematory of Milan, in Italy, and one recently opened and in full blast in San Mateo County, not far from the city of San Francisco, and we find immense consolation in the idea of cremation instead of the slow and unsatisfactory dissolution in a coffin, be it ever so richly adorned with silver mountings and surmounted by a magnificent headstone of alabaster, which latter accessory can be used for a pot of ashes just as well. But, leaving aside the personal, poetical and sentimental part of this process, so generally in vogue with the ancients, who certainly knew somewhat more than we presumptuous men of the present time, there are very powerful reasons why

cremation should be practiced generally and not as an exception. In the first place, the numbers of deaths increase at the same ratio as the births; the cemeteries are generally quite near the towns and cities, some even in the very suburbs, as is the case in San Francisco, where residences are being built close to their walls. The ground set apart for the cemeteries is generally level, diggable, and consequently of value and might be used for other purposes. Very soon they are filled by graves, and new tracts have to be found for the purpose; these, too, will fill in the course of a few generations, and then more are required. Twelve to fifteen hundred millions will be buried within the next sixty or seventy years, in obedience to the inexorable law of nature, that makes no exception and calls for us all, when the hour-glass has run down. The accumulation of such immense numbers of decaying bodies must necessarily produce some kind of emanations through the thin layer of six feet of earth, even if grass and an abundance of plants, trees and shrubbery absorb the greater portion of these emanations; the balance will contaminate the pure air, in spite of all that is alleged to the contrary. Some cemeteries are situated on gentle slopes, others on the side of a mountain; the rain-water filtering down to the valleys will be more or less impure. Cemeteries should be remote from human habitations at the very least half a mile; the ground intervening should be converted into boulevards and parks.

Now the process of cremation has the following overwhelming advantages: It is cheaper and can be stripped of a great deal of the sad and heartrending scenes and ceremonies attending a ground funeral; the services can be held over the body at any church, if it is desired, and subsequently at the crematory, where a sort of chapel, or pantheon, is built for that purpose; there are no grave-diggers, no spades, no strap, no boards required; the coffin, which should be of the plainest sort, as it will be destroyed, is placed on a raised platform in the chapel; at a given signal it slowly disappears into the vault below; the corpse is removed, wrapped in a shroud saturated with alum and rolled into the crib of the furnace, heated to such a degree that within a couple of hours, without any smoke or flame whatever, all that is mortal has been

destroyed and passes as gases through the flue high into the air, with the exception of two or three pounds of pearly white ashes remaining at the bottom of the crib, which are handed to the family or friends for final disposal, at their option. A hundred thousand funeral urns would not overcrowd a moderate-sized pantheon, or "columbarium," as they are called, which means pigeon-house, on account of the many small recesses prepared for the reception of the urns.

The whole process of cremation is cheap, neat, expeditious, full of poetry and almost devoid of the distressing and weary features of ordinary burial ; moreover, the relatives and friends, upon beholding the last resting-place of the ashes of a cremated person, are entirely free from the awful thought which will penetrate their minds involuntarily, that his or her body is slowly decomposing in the coffin, and that at some time the poor bones might be tossed about in a dump-cart and removed for causes of the enlargement of the town, expropriation by law, or heartless speculation. The clergy, especially the Roman Catholic, are opposed to cremation, as being contrary to the doctrine of the resurrection of the body in flesh, blood and bone. Their argument is ill founded ; the Supreme Being has the power to resurrect the body from two or three pounds of ashes just as well as from a shapeless mass of sad remains. The objections raised by some on judicial grounds, in cases of poisoning and crime, and by others for fear of being burned alive, have no serious foundation, because it is the duty of the respective authorities to ascertain such facts before the bodies are granted the necessary permit.

There may be liberty of conscience in our blessed country, because no man, no law, no human power, can actually exercise any control over a person's conscience. Conscience is the criticism or approval of the thought and act ; the latter arise in the brain, whilst conscience resides in the heart. There may be license in religious matters, but the term "religious freedom" cannot properly be considered to exist, as long as a harmless portion of our people are harassed, persecuted and punished for the exercise of their religious doctrines. We

- refer to the Mormon sect, who have settled a vast and desolate region in the center of the United States of North America, almost inaccessible fifty years ago and now converted into finely cultivated territory, in which, owing to the hard work and economic talent of the disciples of Joseph Smith and Brigham Young, there is less want, misery and privation than in any of the other Territories and States. After these hardy and meritorious pioneers had created their gigantic work and it became known that, instead of the sandy and stony desert, there would be found a second Canaan, then came a rush of Philistines and other Gentiles to participate in the blessings enjoyed by the Mormons; and after a while they had to be tolerated by these and even placed on a footing of equality. Alike to the snake that bites his benefactor after warming it in his bosom, the Gentiles and Philistines began to be aggressive, to find fault with the doctrines of Mormonism, their fiscal arrangements, and particularly with polygamy, not for any reasons of morality, but for reasons of their own. Polygamy is, or was, one of the principal tenets of the Mormon church. In the earlier stages of mankind, the patriarchs, afterwards the Hebrews and many other distinguished tribes, had a plurality of wives. These patriarchs are supposed to be the most ancient and favorite saints in the Christian paradise, after living at a time when the Lord was said to have appeared on earth in person repeatedly and to have given warning to the erring people of their wrongdoings. There is nothing in our original Constitution prohibiting polygamy. If a statute was enacted subsequently restricting the number of wives to one, it was aimed specially at the Mormons and is therefore "special legislation" and a wrong perpetrated on these people. We are by no means in favor of polygamy; one wife is quite sufficient, and in many cases even *one too many*; but the Mormons are undoubtedly in their right as a religious congregation to adhere to their original doctrines. Let the Christians, who find fault with them and do not live in glass houses, throw the first stone, which they did. Why did they not stay away from Utah altogether, if the doings of the Mormons were not to their liking? Why go and bring discord and trouble into a community that had performed great things in the way

of settlement and cultivation of a desert, that has the prior right of possession and has done no harm whatever to those who invaded their territory almost as enemies? There is one powerful *argumentum ad hominem* in favor of the Mormons, which we heard frequently expressed in the City of the Saints of the Latter Day, and which is, that we Christians practice polygamy on a vast and illegitimate scale, compared to which simple bigamy is but a mild offense. Reply, if you can! We Christians have polygamy, bigamy, monogamy and polyandry, —terms implying a plurality of wives, two wives, one wife, and the latter, polyandry, more than one husband for one wife. Polyandry among uncivilized nations is rare; still there are tribes at the foot of the Himalaya Mountains in India, where three or four husbands, most frequently brothers, have but one common wife for reasons of economy and on account of poverty.

The subject of secret societies does not properly belong under the head of religion, but we will make brief mention of these societies before closing the present chapter. There is not a country under the sun that can boast of as many secret orders, societies and organizations as the United States of North America. They are counted by the hundreds; almost every grown man belongs to some one or more of them; in fact it has almost become a distinction not to be a member of any society. Properly speaking, very few of these societies have any particular reasons for secrecy, for passwords, grips and countersigns. Most of them have no other object than charity, benevolence and also social intercourse; they do a great deal of real good in their peculiar way and relieve the public in general of a considerable share in the dispensing of aid and assistance to the sick, the needy and otherwise unfortunate. Many give sick benefits, weekly allowances, funeral expenses, endowments to widows and orphans, etc., etc., acts that can only merit the applause of the well-inclined. The childish habit of wearing all sorts of crosses, stars, shields and badges indicative of the order they belong to and of the rank they may hold in it, is no discredit

to the exhibitors of the same ; but the public appearance of secret societies in pompous paraphernalia, bright and gaudy uniforms, with plumes, swords and banners, is of very doubtful taste and propriety, a fact which the good sense of the members ought to point out to themselves. Yet there is no very great harm in it. Passing in review the secret societies of the Yelampus Vitus, the Red Men, the Odd Fellows, the Free Masons, the Knights of Labor, of Honor, of the Golden Calf, of Pythias, of the Mystic Grove, the Druids, the Ancient Order of Architects, the Alien Sons of the Silver East and a host of others too numerous to mention here and which are all perfectly harmless, we come to three secret bodies that are not only an anachronism in a country like ours, but one of them a positive danger at the present time, and still more so in the future. This society is the natural offspring of former secret political organizations that have ceased to exist as recognized bodies, but whose germ has not been destroyed during many years of comparative rest. This organization is religious as well as political; its main tenet is intolerance, and, whether it be intended or not, they originate hatred and contempt among our people, thus further increasing the already numerous political, social and economical problems awaiting solution. The shafts of this abnormal organization are principally directed against a certain religion and against the foreign element in general, even the naturalized, honorable and peace-abiding citizen. The native-born population can boast of but a short line of ancestors ; their nativity is of quite recent date ; it does not in most cases go back beyond one or two generations. Even the conceited descendants of the "*Mayflower*" and the successors of Hendrick Hudson have little to boast of in this respect. The foreign addition to the otherwise weak native population has hitherto been of immense benefit to the whole country, bringing skilled artisans, strong hands and large sums of money to swell the national wealth, until during the past twenty years or so the greedy, egotistical and unpatriotic millionaires and owners of immense manufacturing establishments have thought fit to import hordes of ignorant laborers with their wretched families from the cheapest and most

miserable portions of Europe and Asia, to compete for the lowest possible wages with the more independent laboring classes already in the country, until Congress found it necessary to interfere and close the gates to those classes, a measure that should have been taken twenty years ago already.

It is entirely wrong on the part of the above-mentioned association to ostracise the foreign element ; it is unpatriotic and impolitic. These are not the ways and means to remedy the evil, if evil there be ; the remedy lies in restrictive naturalization and limited immigration ; but that portion of the foreign element which has become naturalized is entitled to all the rights and privileges of the native-born citizen, except the faculty of being elected President of the United States, which is perfectly correct.

Some forty years ago, in Florida, we were very much struck and amused by a friendly debate between a native-born American lawyer and an intelligent jeweler from the northern part of Germany, the latter being already master of the English language. The lawyer alleged pre-eminence over the jeweler by virtue of his nativity on American soil ; but the latter successfully proved to him, that the native superiority was illusory, by telling him simply, that when he, the foreigner, came into this country, he was a man in the prime of youth, strong, healthy, in possession of a genteel calling, clothing and a sum of money and able to earn an honorable living, whilst the native-born lawyer had come into the country a helpless, naked baby, requiring a mother to nurse him and parents to feed, clothe and keep him up to the age of eighteen years, and that he was probably unable to earn a dollar before he was twenty years old. The force of this logical "*argumentum ad hominem*" caused the bystanders to burst into hearty laughter at the expense of the native-born lawyer, who, however, was a gentleman and declared himself defeated.

The place of birth, after all, is a mere accident. Napoleon the Great was born at the foot of the stairway of his father's house in Ajaccio on the island of Corsica, on a piece of carpet, and not everybody has the means or pluck of his sister-in-law Hortense, Queen of Holland, to journey from The

Hague to Paris at a time when railroads were unknown, to give birth in France to the "Man of Sedan," the great emperor's nephew.

Too much circumspection, toleration and friendly feeling cannot be exercised by the native-born element toward the many millions of foreigners who have come to live and die in this country and who have acquired citizenship, be they Irish, French, German, Italian, Spanish, or of any other acceptable nationality. Nothing can be gained by open or covert hostility to these people; after all their original nationality is apt to disappear completely in their progeny, who even lose their parents' language. The only remedy is in legislative restriction; the country is in need of it; let the national Congress provide.

VII. FINANCE.

MATHEMATICS may be an abstract science, yet it is the most positive of all. The combination of figures and their intricate relations between each other are as infallible as the truth on which they are founded. No argument, be it ever so strong and brilliant, can prevail against the naked truth of honest figures. Three times three is nine and will ever be so to the end of time. By the aid of figures and their manifold combinations, gradually reduced to permanent and absolute rules in arithmetic, geometry, algebra and trigonometry, devising man has been enabled to calculate the revolutions not only of our little earth, but also those of many of the celestial bodies moving in the infinite firmament millions of miles away ; the distances from our old globe ; the rapidity of the rays of light from the sun ; the return of comets, eclipses, transits, etc., etc. Mathematics is the greatest and most useful of sciences, dry as its study may appear to the multitude, and full of so many difficulties that but few select minds succeed in acquiring a perfect knowledge of it. And yet even this science is perverted by wicked man, and truthful figures are used by us to represent lying and hypocritical statements in almost all branches of human industry and institutions. Thus for instance the figure ten is misused by the hunter to indicate the number of hares killed by him in one day, when he really shot but three, or none at all ; a merchant is quoted in the secret mercantile report as possessing a capital of fifty thousand dollars, when he is actually not worth over twenty thousand ; an insurance company advertises the whole country over, that its capital stock is one million dollars, when perhaps the whole of the stockholders put together are not worth over half a million ; a newspaper trumpets over the State, that its daily circulation is fifty-three thousand, and it really issues but thirty thousand, and so forth. In all such cases figures are employed to conceal and disguise the truth, and here we have " figures without facts," instead of facts and figures.

There have been written countless books, pamphlets and newspaper articles about the financial affairs of the world in general and those of the United States of North America in particular. The matter they contain and the material from which they are gleaned are of but little interest to the public in general, because they are dry and tedious ; consequently they are read by but a few and even then seldom comprehended and appreciated, even if their arguments were well founded, and *positive* facts and figures given. It would be an easy matter for the writer to compile a few hundred pages of commentaries on the financial condition of this country and to worry and fatigue the worthy reader by dry and tedious stuff, but such is not our object in this little volume ; on the contrary, we will endeavor to be as clear and concise as possible in the development of our views on such an all-important subject.

There have been many serious financial crises since the foundation of this great Republic, as far back as the time of General Jackson, but they were always easily overcome. At the time of the Centennial celebration of our Independence the finances of the country were still in a most satisfactory condition, the national debt gradually diminishing. But the brightest period of all was that of President Franklin Pierce, when the national Treasury showed a cash surplus of over twenty millions of dollars, for which there was no earthly use, and that, notwithstanding the low tariff of import duties ruling at the time, and the total absence of internal revenue, which was a later invention.

There were then in our national Congress men of honor and trust, inspired with true patriotic ideas and having full and implicit confidence in that gentlemanly and honorable President, Franklin Pierce, to an extent that seven millions of dollars were placed at his disposal, with power to expend the same in any manner he might see fit as most conducive to the public benefit. The result was the purchase from the Republic of Mexico of the celebrated Mesilla Valley, a portion of land projecting into the territory of the United States, and which for some reason had been allotted to Mexico, when the treaty of Guadalupe Hidalgo was made between the two countries after the Mexican War. The sum paid to the

commissioners of President Santa Anna at Washington was seven millions. We recollect that the Mexican commissioner who took this sum of double eagles to New Orleans for shipment to Vera Cruz, being in serious doubt about ever getting his commission of one per cent from the close-fisted dictator of Mexico, took seventy thousand dollars from the millions, placed his receipt in one of the boxes, and shipping the balance to Vera Cruz quietly went to Europe to rest on his laurels. Great was the impotent rage of Santa Anna, who soon after was overthrown, driven from the country, and remained an exile until his death.

The causes that have produced the present industrial, commercial and monetary crisis may be summed up as follows :

The powerful syndicates and mighty corporations sprung up in consequence and after the close of the war of the Rebellion; the immense national debt left at the end of that great but fatal struggle; the corruption in official circles and the vast field for robbery and plunder left by the confused financial condition of the country at the same period, by the settlement of war claims, damages, bounties, back pay, pensions and the sale of war material; the system of stock exchanges and the public sale at auction of real and imaginary stocks, bonds and other values; the immense number of temples of mammon called "banks," which are weighing so heavily on all classes of the community except themselves and their satellites, the brokers and usurers; the shameful and ruinous extravagance in dress and style of living so generally prevailing, and the consequent waste of material; the heavy taxation of the poor, as compared with what little is paid by the wealthy; the wild, reckless, and often criminal spirit of speculation that has taken possession of vast numbers of our people; the steady drain of coin for tickets in foreign lotteries; and last, but by no means least, the Chinese invasion, which has caused a clean loss of perhaps a thousand millions of dollars to our unfortunate and shiftless country. We ask, what country on earth could have withstood such awful odds against its continued prosperity, other than these United States, without being utterly bankrupt, a calamity which is sure to reach us, nevertheless, at no remote period, if we do not take prompt and effectual measures to close

the gap through which our national vitality is flowing, by radical, wise, and peremptory legislation.

Taking up the disastrous financial results of the Chinese invasion,—a class that never bring a cent to this country, but always send and take away,—we will quote an extract from the statement of a high Federal officer, published about six months ago in a daily paper, and which has not generally become known, because few persons read articles of this kind, when they are being treated to the sensational, indecent and immoral stuff so prevalent in the papers of this day. The article in question embraces a period of thirty years, when the Mongolians were first brought to our Pacific Coast to filter from there all over the country.

“In 1860 the census showed a population of Chinese in this country of 100,000; in 1870, 213,000; in 1880, 105,000; and in 1890, 106,000. In these four decades the total Chinese population was 524,000, which would give an average of 131,000 for the thirty years. During these thirty years the laborers among the Chinese have averaged one dollar a day for their services. Deducting the liberal allowance of 31,000 for the merchants, physicians, women, etc., etc., we have 100,000 men, who have worked continuously for one dollar a day, Sundays included, which they do not observe. Allowing them twenty-five cents a day for the expense of each, this liberal allowance leaves a net income of \$75,000 a day, which is an absorption of \$2,250,000 of our money every thirty days, or twenty-seven millions of dollars per year. Thus their net earnings during the thirty years above stated amount to the astonishing sum of eight hundred and ten millions of dollars, every cent of which has gone to China, where all gold and silver coin mysteriously disappears after a while, and no one seems to know whatever becomes of it. But this wage-earning is not all the loss we have suffered; the balance of trade between the United States and China has been in favor of the latter country, absorbing something like one hundred and fifty millions more. In 1892 alone the Celestial Empire absorbed \$41,825,181 of the wealth of the United States.

“The foregoing estimates of the Chinese population of this country are taken from the official United States census; but

it is well known by those who do not desire to be blind, like the Eastern sympathizers with the "poor, persecuted and down-trodden" heathen, that a great many more came into the country than have ever been counted on the official records. This clandestine portion has not been taken into consideration in making the estimates of moneys sent to China. The only benefit we derive from the Chinese is the import duty charged on the goods brought to this country. The money paid to the laborers of other nations coming here is expended in building houses, buying land and improving it, and in purchasing the production of American farmers and manufacturers; consequently their money remains in the country. Moreover, it will never be known how much gold has been realized by the smart Chinese by mining in the gold fields, and which they have also taken away. There are about one thousand three hundred millions of money in the United States at present in circulation, and at the rate the Chinese absorb our coin, there will soon be but little left for our own use. For many years every Chinese steamer has returned with hundreds of Chinese, each one of them carrying away on his person from ten dollars to three thousand dollars in gold."

The foregoing facts are undeniable; they are "facts and figures" to prove and not to mislead. The admirers of the Mongolians and those interested financially in their presence, will, as a matter of course, entertain different views; but they are of no value in the case on account of bias.

We consider the Exchanges for the transaction of stock dealing and the sale at auction (it is nothing else) of bonds, securities, grain, produce, pork and other stuff serving for purposes of speculation in public, as a great factor in bringing about financial troubles and periodical monetary and business crises, a drawback to all legitimate transactions in that line and an unceasing temptation to restless manipulators of that which does not belong to them, which often does not exist and which they seldom ever see, besides encouraging unlawful speculation on the part of men who want to grow rich as fast as possible, regardless of all consequences to their

competitors and outsiders. Not many years back everybody in Chicago, the servant girls not excepted, bought and sold "*pork*," which existed only in their imagination, raised to fever-heat by the vampires connected with the Exchange. The pandemonium that reigns in these pits is something indescribable for the passive spectator, and the question might in all honesty be asked, whether the brokers, who shout themselves hoarse in bidding, offering and selling, are really human beings or a flock of wild parrots of Brazil in congress. The ostensible object of an Exchange is to supply a central place for the better and more convenient meeting of merchants that want to buy or sell bona-fide goods, stocks and agricultural products, and for the legitimate brokers, who are intrusted with their business. These *legitimate* transactions can all be effected in a decent, quiet way; the system of bidding for anything at auction, which they are at present operating, should be abolished by law. If anybody is desirous of selling anything and does not know to whom to apply, or cannot personally attend to the business, let him engage the services of a legitimate and licensed broker, whose profession it is to find purchasers and sellers of merchandise and securities for a fair and lawful commission. The Government should not allow any article to be sold that does not exist, nor have such imaginary article cried out at public auction in the so-called Exchanges, and insist on the transfer and delivery of the article sold. Abolish margins, shorts, bulls, bears and all the other outrageous abuses practiced in those iniquitous establishments and trade will be more regular, honorable and safer than under the present system, with fewer failures. Remove and destroy the opportunities and temptations offered to business men in those temples of Moloch and there will be no more stock-gambling, no more defalcations, breaches of trust, imprisonment, ruin and suicide.

Not less damaging to the public welfare is the vast, plethoric system of banking at present so general in these United States of North America. These institutions are very appropriately

called "banks," since so many are founded on sand, others surrounded by fog, and thousands have been stranded by them. Like an immense octopus of thousands of suckers the banks have taken possession of everything worth having. There is hardly a village of a thousand inhabitants but must have its bank. We know of one settlement in California in which the first building erected, besides a few board shanties, was one of brick for the inevitable bank and this building was raffled. As the patient spider sits in the center of its wonderfully constructed net, waiting for the flies that are sure to get entangled in it and to become his prey, so sits the crafty banker in his private office, bloated with conceit and vanity, haughty and insolent to the poor white trash, cringing and abjectly reverential before the man of property and cash, supported by the minions in the public office, who have more or less similar qualifications to those of their imperial master. These men are generally well fed, still better dressed, and their work is of a kind that will not weigh heavily on their constitutions, even if a small amount of brains and some automatic care is necessary to make a good bank clerk. The banker-in-chief of course is entitled to fat emoluments and the pay of cashier, tellers and clerks is by no means insignificant. It frequently happens, that even these liberal salaries for a few hours of very easy and clean work, are not sufficient to gratify the desires and to come up to the pretensions of these gentlemen. In that case their fingers are stretched a point, and if the required additional sums cannot be procured by clever manipulation of the accounts, a number of bags are confiscated, or a few checks forged, which answers the same purpose. Frequent as these occurrences are, it is only a wonder that they do not occur oftener, considering the mild penalties attached to them and the comparatively small dishonor in the community, if the purloiner, defaulter or forger can manage to put some, if not all, the plunder into a safe place. In that case he will always be a "gentleman" and the crime is soon forgotten by his indulgent friends.

Taking into consideration the enormous expenses of building and fitting up a bank, the fat salaries paid to presidents, cashiers, tellers, clerks and porters, and other incidental

charges, it is curious to see where all this money comes from. It is not the wealthy class which contributes the most to the profits and benefits of a bank, but the business man of the far larger middle class, the crippled merchant and the unfortunate farmer; all have to contribute to the support of the octopus that grows and fattens on the lifeblood of the community. In former times the banking business was almost exclusively in the hands of the Jews, who were debarred from most other callings. These unfortunate exiled, persecuted and despised people exercised corresponding retaliation by availing themselves of every possible ways and means to hoard up and conceal money, charge enormous interest, and, knowing that they could hardly reckon with the protection of the law for the collection of money loaned, they demanded triple securities from the Gentiles. The Jews have developed a remarkable talent for money-making from the earliest times, when the sons of Jacob thought it more profitable to sell their brother Joseph into captivity than to kill the harmless youth. Subsequent grain transactions in Egypt came but to prove this peculiar quality of that ancient race.

Nearly all the gold in those times was in the hands or under the control of the Jews, which is in fact still the case to a considerable extent. Moreover not a ducat or sequin passed through the fingers of the usurer, but a small particle was filed off the rim of the coin. This process rendered it necessary to weigh the gold coins when in circulation, because they had become of different sizes from the original dimensions. Nowadays this system of mutilation is but little practiced, but the profit is there all the same; the circumcision of the coin has been replaced by the shaving of the paper. Not a cent goes into a bank, nor comes out of it, that does not leave a direct percentage, or indirect benefit, becoming tangible after a little while. The foolish people look upon the banks with a great deal of awe and admiration and consider them most indispensable and useful institutions. To have an account in the "Cucumber National Bank, Limited, of Gopherville," is considered a matter of pride and honor, and many are the daily allusions made by the business people to deposits, bank time, overdrafts, notes, discounts, hiring of money, etc.; even the

smallest payments are made by cheque. To sign or indorse a cheque is an act of immense pride and gratification.

There is nothing more cold, heartless, devoid of all humane feeling and inexorable toward an unfortunate debtor than a commercial or a savings bank; they have no more pity than the wolf in a Russian forest.

We willingly admit that some banks are useful when supplied with the necessary working capital in *real cash*, and not two-thirds on paper, working and profiting only with the funds of the depositors, who thus run great risks. One bank for every town of 30,000 inhabitants is more than enough. The only really useful function of a bank is the safe-keeping of the people's superfluous money in its vaults, and a bank ought by rights to get a small percentage for storing such money, whilst it should not be permitted to touch any of the coin thus deposited, except by formal consent of the owner and by a mutual agreement concerning time and interest.

The Bank of England, the Bank of France, the Bank of Ireland and others are not only perfectly safe, but very useful and necessary institutions. They act partly as the national treasury of the country, receive deposits of certain amounts on time and pay a moderate periodical interest on these; they watch and regulate the exigencies and wants of the money market, and fix the rates of exchange inland and on foreign countries. These banks alone are empowered to issue notes to a limited amount—notes backed by the fortune of the whole nation, and not like the indefinite notes issued by most of our banks, secured only by a few miserable dollars.

The people of the United States of North America have gradually but surely been educated to the use and love of paper money, especially in the Eastern and Atlantic States. Gold is looked upon with suspicion and often reluctance; the soft, dirty, unfragrant paper-rag is preferred, not so much because it is easier and lighter to carry in the pocket, but because it is a part and portion of a bank, because it has been handled and signed by the divine banker, and because it represents a fictitious double value. Gold, and particularly silver,

are looked upon with contempt, when compared with bank-notes, greenbacks, and Treasury notes. The American Government notes, it is very true, are works of art, of exquisite design and perfect execution, as long as they are new and have passed through but a few and clean hands; when worn and greasy they become objects of abomination. The Bank of England issues the plainest notes of all,—a white piece of paper, note size, with the plainest black lettering and few words in the text, being blank on the back. Still these notes are the most difficult to counterfeit on account of the specially fabricated paper and certain, almost imperceptible, peculiarities. No English banknote is issued for less than one pound sterling. The Bank of England, as the most competent authority on the subject, regulates the amount and circulation of coined silver, and not the English Government direct. Whenever more silver coin is needed of any denomination, the Bank of England makes a requisition for it, with the approval of the Chancellor of the Exchequer, on the mint, and such silver coin is furnished to the Bank of England, but to nobody else, under any circumstances.

Considering the plurality of banks in our country, a positive detriment to commerce and financial stability, steps should be taken immediately to reduce their number as fast as their present concessions and privileges terminate, and not to issue any more charters. In our humble opinion the banking business, on a strictly national and not local basis, should be in the hands or under the control of the State and Federal authorities. *No paper money should be issued and in circulation other than United States notes of no smaller denomination than ten, one hundred and one thousand dollars.* Congress alone can authorize such issues, as the public convenience and demands of the national Treasury may from time to time require. All private and national banknotes should be withdrawn and destroyed immediately and the bonds deposited by them as security with the Treasury returned. In this manner, radical as it may appear to the timid, biased and interested, the value of silver would at once increase to such an extent, that all the silver bullion and silver coin at present lying useless and dormant in the yard of the

Treasury at Washington, like sacks of potatoes, and in the Sub-Treasuries and Mints, would scarcely be adequate for the circulation created by the destruction of the smaller banknotes and greenbacks. *This is the simplest solution of the ticklish silver question, and no arguments, polemics and subterfuges by the bankers, brokers, usurers and party legislators can prevail against it!* We have nothing whatever to do with the systems and standards in Europe, or in any other countries. This great country produces everything it needs for the maintenance, comfort and happiness of its inhabitants; our surplus of every kind is at the disposal of other nations, if they are in need of our goods and products, provided they are willing and able to pay for them in such coin, as we ourselves demand and have the fullest right to exact. On the other hand we must submit to a like procedure, if we are obliged to purchase anything from them, or wish to obtain articles of luxury, art treasures and other fancy articles. If anything should be hoarded up and handled with the greatest care and strictest economy by the Federal Government, not for purposes of speculation and control, but for the sake of preservation, it is the United States gold coin and gold bullion. The actual total amount of gold, coined and uncoined, now existing on our globe (that in the bowels of the earth, of course, not included) is not sufficient, if handled and circulated, to last over two centuries. Arts, manufactures, jewels, ornamentation and the filling of teeth absorb a large quantity of the precious metal,—the child of the sun by its dazzling brightness and non-corrosive properties. The supply of gold is not large and the output of the mines insignificant, since the apparently inexhaustible gold mines of California have proved to be perishable like everything else on this earth; consequently we are bound to make the largest possible use of silver as a circulating medium, whether we like it or not; whether it injures the accursed usurer, combination of goldbugs and Wall-street cormorants or not.

Our mints ought to coin more decent silver money than that issued of late years; there is too much base alloy in our coins that turns them to a blackish hue very soon, and the emblematic heads on some of them are deplorable

designs. It is said that the United States silver coins are changed now and then in order to reproduce the likeness of some notable woman, wife, daughter or sister of some high functionary. Whatever truth there may be in this allegation, it is a sad but indisputable fact, that the figureheads on our latest issues of silver coin, and also the humble nickels, are vulgar-looking and quite unartistic. The head on the half and quarter dollars is all face, neck and jaw, without any forehead and receptacle for the brain. Send for some Swiss silver and nickel coins as models and try to improve. Our silver coin of 1830 to 1840, with the classic features of a stately, mature woman wearing the Phrygian bonnet, emblematic of absolute freedom, was pretty near perfection; but, for some reason which it would be hard to explain, whenever we have anything excellent, useful and beautiful, it must needs be altered, or even destroyed, to make room for a pretended "improvement" that originated in the limited brain of some fool at the head of the corresponding department; to wit, the periodical changes of postal stamps and other unnecessary metamorphoses, which only create expense and trouble.

The traffic in coined gold as an article of merchandise must be stopped and the coin restored to its original purposes. If the Government finds that gold is shipped across the ocean to and fro for the nefarious purpose of speculation, or to create a scarcity and depression at any time, such shipments must be prohibited, or at least strictly controlled. When, years after the war of the Rebellion, the national credit had been restored, the indebtedness fully established and the public finances regulated with that energy and promptness so very characteristic of the American people when once they really desire to do anything well, the so-called greenbacks or legal tenders, as they were called in a facetious and sarcastical manner, would not go any higher than seventy-five cents, in spite of the best efforts of our Government, then in the hands of men of honor and talent.

This strange state of affairs was brought about chiefly by the wretched, selfish and unpatriotic clique of bankers, speculators and schemers against the national credit, who had shipped nearly all our gold to Europe for bond speculation

and concealed the rest in their vaults. The Federal Government took in nothing but greenbacks in payment of import duties and internal revenues, and consequently found itself at an immense disadvantage. A radical and stringent measure became necessary and a law was quickly passed, that all import duties were payable in United States gold coin. The tide turned at once and in a short space of time the Government had most of the gold stored in the Treasury and was emancipated from the deadly clutches of the bankers and speculators, until it chose to fall into their power once more. No gold should be allowed to be exported except in payment for goods purchased abroad, other equivalent received and for the expenses of travelers. Such apparently arbitrary measures must from time to time be resorted to for the salvation and preservation of the general good, as opposed to the machinations of egotistical cliques, trusts and other dangerous combinations.

We must not be at all surprised at the tenacity with which the banks cling to the privilege of issuing their own banknotes, since they make a clean profit of at least ten per cent on the amount, the moment it is placed in circulation. One-tenth part of these notes become lost, burned, or otherwise destroyed and are therefore never presented for redemption. The same thing may of course be said of the national currency; but in this case the profit arising from the loss of the notes benefits the entire nation and not individuals, which is a horse of quite another color.

All legitimate banking, when limited to the depositing of and drawing money by cheques, the safe-keeping of cash, securities and Treasury notes, etc., etc., the loaning of money on such, and on nothing else, with a moderate interest for the Government, should be exclusively in the hands and under the most rigorous control of the Government and carried on by the Sub-Treasuries now existing and other agencies to be established for the purpose in large towns and cities only. No deposit for less than one hundred dollars, nor cheques of a less amount, should be allowed. In this manner bank failures, defalcations, usurers' interest and the other numerous evils of

the general banking profession would be completely prevented and permanently abolished. In fact, it would be by far more conducive to the general security and to the prevention of fraud and failures, if the stupid system of credit were abolished altogether, or at least modified so that credit be only given at the risk of the confiding banker, merchant, or business man *without any recourse to law*, swindling transactions excepted. The giver of credit would then be particularly careful as to whom to trust, and a great number of disastrous transactions stifled in the bud. If God's ground and lands were unsalable and untransferable in the manner indicated in a previous chapter, there would also be no mortgages, no foreclosures, no ruin of individuals and families. Real estate sharps, land cormorants and insatiable owners would then have to seek for other means of enriching themselves.

The main sources of revenue for the Federal Government are the import duties on foreign goods and the taxes on cigars, tobacco, liquor, beer, playing cards, etc. The internal revenue taxes were found necessary during the war of the Rebellion, and have been continued with some modifications for the support of the Government in all its branches, the payment of an abnormal amount of pensions, interest on bonds, and the extinction of the national debt. The harmonious workings of the Treasury Department, almost perfect as to control, vigilance and accounting, have been too frequently disturbed by the changes of administration, the pretensions of privileged and influential classes, and the stubborn resistance offered by the interested capitalists, importers and manufacturers to every beneficial measure introduced in Congress. For three long months the Senate of these United States of North America—a body that should shine like the constellation of the Southern Cross in the political and financial firmament of the world—has been quarreling, wrangling, debating, fooling and jawing about a question already so thoroughly known by the people as well as the senators, so thoroughly sifted by speech and the pen and so well defined in the minds of everybody, that three days of study by the Committee on Ways and Means, and

three of debate, should have been amply sufficient to arrive at a decision, one way or the other. Under the circumstances, it might well be asked whether an indignant people would not have been justified in marching on the Federal Capital in order to disperse such an ill-disposed and incompetent body with sticks. The advocates of the suppression of the Senate from the national legislation must have rubbed their hands with glee.

The action on the Tariff Reform is retarded in a similar manner by the Senate, a portion of whose members, by reason of the long term they have served in that august body, consider themselves infallible and superior in experience and knowledge to their less fortunate colleagues. They will not listen to reason and argument, nor to the dictates of the nation's wants, but persevere in malignant stubbornness and strict party attitude. Reform in the attributes and working of the Senate is most urgently needed, or that body should be abolished altogether.

With very few exceptions every article imported into this country should be subject to import duties. It is neither necessary nor politic to levy, for instance, ten cents a pound on sugar, coffee, tea, rice and other staples; but a trifle ought to be collected on all of these. It is a quota easily borne by the final consumers, and nobody will complain but the trusts and combinations. With a low tariff we were very prosperous forty years ago; there is no earthly reason why the same condition should not exist at present.

No tax can be more just and equitable than the income tax. Persons earning a bare living might be exempt from it; but commencing with an income of \$1,200, a light tax should be levied on this amount, the rate increasing with the progression of the figures, so that a man deriving an income of ten thousand dollars a year shall contribute ten per cent to the support of the Government. These classes pay three times as much in other countries. When an estate is probated and divided among the heirs of say five thousand dollars, the Government might collect one per cent; on ten

thousand, two; on twenty thousand, five per cent; and so on at an increasing ratio, until twenty-five per cent is reached, as the maximum. The heirs who get possession of an amount of property they did not possess nor earn, have no reason to complain.

Whilst writing the present lines we see that the President has found fit to veto the bill passed by both houses for the coinage of the so-called "seigniorage" silver. This outlandish term refers to a sum of fifty-five million dollars, representing the difference between the nominal value of the dollar and its real value at the actual market rate. This bill had been carefully elaborated by the defenders of poor, despised silver, to offset to some extent the effects of the Sherman law, by virtue of which the public Treasury was bound to purchase four million ounces of silver in bullion monthly, to be piled up like so much pig-iron in the Treasury yard, of no use to the Government nor to anybody else. The absurdity of such a law is self-evident, yet it took mighty efforts on the part of the sensible portion of Congress to procure its repeal. The dollars thus obtained by the aforesaid "seigniorage" law were very properly intended to defray the expenses of the Government. Moreover, if the coinage of such a vast sum of silver could not be operated by our mints quick enough, the Secretary of the Treasury was authorized to issue notes of the species called "Silver Certificates" for the amount yet uncoined. The coining of these fifty-five million dollars once terminated, the Secretary was to go on coining the balance of the silver belonging to the Government and now lying piled up in Washington. These additional dollars were to be kept in the Treasury to gradually redeem the notes issued for the purchase of the silver bars, which were to be finally destroyed. This bill, the principal object of which was to place in circulation the largest possible number of silver dollars, has been vetoed by the Chief Magistrate of the nation in a long, tiresome message to Congress, the prolixity of which does not convince any person of common sense that the President knows more about the financial question in general and the silver question in particular than three hundred men, perhaps less acquainted with jurisprudence than with their particular duty toward the people. We do not pretend to impugn

the motives of the President for taking such singular action, but he certainly did expose himself to the galling criticism of the majority and to the allegation that this unfortunate veto had been dictated to him by the owners of gold in New York and elsewhere. The wife of Cæsar must be above suspicion. Now the whole tedious, disgusting and apparently never-ending struggle is to be gone through again. Such is the sad result of the veto power vested in one single individual in a great and free republic.

The whole secret of the silver question lies concealed in the fact, that the bankers, brokers and owners of gold are opposed to the coining and circulation of the dollar of our fathers, because these dollars would replace their banknotes and deprive them of the double benefit of a fictitious increase of their capital and the double interest derived from this fictitious capital and the bonds deposited by them with the Treasury. The coinage of the silver reserve, however, would not give all the relief needed and expected by our poor and innocent population, unless the banks are *forced to withdraw all their notes* within a given period and *are prohibited* ever thereafter to issue any more paper money—an operation the Federal Government alone should have power to perform by special act of Congress, whenever Treasury notes are needed, and under no circumstances should there be any lower denomination of notes than ten dollars.

The affection for paper money, however, which in Europe is issued by the Government only (the Bank of England and Bank of France are *quasi* Government institutions), is not limited to our people alone. During our travels in Austro-Hungary and Italy, our gold pieces were frequently refused by small business people, who were better acquainted with the more abundant notes and therefore preferred the latter.

We have endeavored to be brief and condense as many points as possible in this chapter. Enough has been said and written about the ticklish financial and gold and silver standard questions to almost fill the immense library at the Vatican in Rome. Impartiality and bold frankness are lacking in most of the works on the subject.

VIII. FEDERAL GOVERNMENT.

WE MUST now beg the kind reader to accompany us figuratively to the Capital of the United States, the seat of the Federal Government, the beautiful, neat and genteel city of Washington, in order to pass our comments on the Federal authorities in the same impartial, but fearless manner with which we have treated the previous subjects.

A more appropriate and honorable name could not have been selected for the National Capital than that of the great and patriotic *Washington*. A peculiar charm surrounds the Capital on the banks of the Potomac and a prestige enjoyed by no other city in the country, arising from the fact, that here reside the Chief Magistrate of the nation, his Cabinet, the Supreme Court, the heads of the different Government departments and a host of employees, all generously remunerated. Congress meets here during many months of the year in the stately capitol; the public buildings are fine specimens of architecture, symmetry and strength; the streets in admirable condition, the broad avenues planted with shade trees and an air of aristocratic gentility pervading the place, vulgar traffic and commercial transactions being there relegated to the background. Above all towers the great Washington monument, five hundred and fifty feet high, in the form of an immense obelisk, but which ought to have taken the shape and proportions of a column, with a colossal statue of Washington to crown it. Washington may be counted the third handsomest capital in the world after Paris and Vienna; yet its natural beauty is greatly marred by the dull reddish brown color of her brick buildings; the houses should be painted in light colors, like one of the business streets, and the effect with the masses of green foliage would be enchanting. Another inconvenience is the presence of an immense number of colored people, about one-third part of the whole population of the District of Columbia, the majority of whom ought to have

been induced to choose another field for their labors instead of remaining in the capital city after the war of Secession.

Washington is undoubtedly the best-governed city of the United States, for the powerful but simple reason, that there is no board of aldermen, no common council, consequently no municipal obstruction, no stealing and pilfering as in other cities. The District of Columbia is governed by a commission of three, appointed by the President, with the consent of the Senate, for a term of three years. One of these commissioners must be an officer of the United States Engineer Corps above the rank of captain; the other two civilians. These latter receive \$5,000 per annum, whilst the officer has only his army pay. The civilians must give absolutely secure bonds in the penal sum of \$50,000. These commissioners have control of affairs concerning the city of Washington and the Federal District and are subject to the powers conferred on them by Congress. The commissioners appoint the trustees of the public schools, who serve without any compensation.

It is a great pity that the capital of the United States should have been located so close to the seacoast, instead of being situated more in the center of the country, five or six hundred miles inland. Its position is too much exposed in case of a foreign war and possible invasion of the vandals of modern times.

The area of the District of Columbia is about sixty square miles. The plan of the city of Washington was laid out by President Washington himself, with the assistance of a French engineer of the army, the work being subsequently completed by Ellicott. The city was laid out at right angles, but is traversed by a number of avenues at oblique angles, it is said, for strategical purposes in cases of invasion or rebellion, Washington having been a farseeing man. The streets average one hundred feet in width and the avenues one hundred and fifty feet, making in all thirty-three miles of the most perfectly built and level thoroughfares to be found anywhere on the globe—a perfect paradise for bicycle riders, of whom thousands are met on the streets shooting about for business or pleasure purposes. Washington is about four miles in length and two and a half in width.

In the Orient, where the Mohammedan creed predominates, it is considered a duty of great religious importance to undertake a pilgrimage to Mecca, in Arabia, where the tomb of the Prophet is situated. The journey to Mecca is connected with immense difficulties and great hardships; it may be said that one-third of the poor pilgrims never return to their homes. In a like spirit, and considering the ease and perfect comfort with which we Americans can reach the national capital, our people ought to do their utmost to visit Washington at some period of their life, and also the shrine where the Father of his country is entombed.

In consequence of the exposed position of the city of Washington, and considering that it contains such costly public buildings, the priceless archives, accounts and records of the Government, from its inception to the present day, the navy yard and cannon foundry and other public property worth many hundred millions, the place should be strongly fortified, not only against a *coup de main* on the part of a foreign invader, but also to protect it against the sudden eruption of a rebellious mob, which is so easily organized and armed in our country. A series of detached forts in telegraphic, heliographic and ballistic communication with each other, armed with the most improved heavy artillery and lightly garrisoned in time of peace, would be sufficient, with half a dozen light batteries to protect the buildings in the city and command the streets. It is all well enough to allege the improbability of a foreign war or of an internal rebellion. Such things have happened before and may occur again quite suddenly and unexpectedly, if we are to believe certain symptoms in the horizon. As the saying is, "One pound of prevention is better (and cheaper) than one ton of cure." The destruction, burning, or sacking of the national capital would be an irreparable, appalling loss to our country and the world. Better appropriate twenty millions for the defense of the capital and commence the great work at once. It will take three years to accomplish it, the topography of the Federal District being unfavorable and requiring skillful as well as scientific military engineering to insure a perfect system of defense.

The Constitution of the United States, adopted on the 17th of September, 1787, is a masterpiece of an organic law, a "Magna Charta" redounding to the highest honor of the noble and patriotic men who framed, approved and signed it. It was one of the grandest acts of peace ever performed since history affords us plausible records. This Constitution is sometimes read in public on the 4th of July each year, together with the no less famous Declaration of Independence, made eleven years previous, and also read by the pupils of the schools; but we may venture to say that scarcely one in a hundred remembers anything about it. Reference being frequently made in these humble lines to the text of the Constitution, we deem it useful to the kind reader to append a copy of it; also one of the Constitution of the Swiss Confederation, which is no less admirable, and the perusal of which will no doubt greatly interest him or her.

Our American Constitution had evidently been used as a model by Switzerland, when that famous Confederation consolidated more closely in 1848, after their short war of secession ("Sonderbund Krieg"), and adopted a new charter. This was revised and perfected in 1874 by the insertion of a number of clauses, which might in turn be copied by our own great country without dimming our glory in the slightest degree, because our Constitution of 1787 has been the great beacon light by which the Republics of France, Switzerland and most of the Spanish-American States have been guided, when they framed their own free organic law.

Nothing, however, is perfect in this defective world. At the time of elaborating our old Constitution a hundred and seven years ago, its provisions were adequate for all requirements of the period and as complete and perfect as any human work can be; still the changes of the times, circumstances, conditions of men and the requirements of the nation in general, rendered it necessary to make additions to the original Constitution at various periods, in the shape of amendments proposed by Congress and ratified by the different States composing the Union. Since the last amendment has been added to the venerable document, new events have taken place on the social and political chessboard of the nation,

and further amendments, some of quite a radical but necessary nature, would seem to be in order to all well-meaning, honest and patriotic minds. A careful perusal of the appended Swiss Constitution will at once point out the particular clauses bearing on our own case and which are worthy of our earliest and most serious consideration. It is no humiliation, no disgrace, no impropriety, to imitate and adopt that which we find superior in our fellow-beings, much less so in our sister nations, especially the republics. Unfortunately "jingoism," or rather, as it is called in this country, "spread-eagleism," is too prevalent here, and we generally consider ourselves superior in everything to other nations, when some of them can teach us humiliating lessons, to wit, the Peruvian, Chilean and Sandwich imbroglios, into which we were led by the ignorance and stubbornness of those responsible for our false position and the moral hits we received on these and other occasions. In diplomacy for instance we cannot hold a candle to the smallest Spanish-American republic, because these have trained men, knowledge of human nature, winning ways and manners, besides other diplomatic qualifications, in which we are sadly deficient. We will return to this subject later on and give it proper ventilation, as it is of great importance also.

The glorious Republic of Switzerland ("Schweizerische Eidgenossenschaft") originally consisted of twenty-five different republics, and is now consolidated into twenty-two Cantons. Her new Constitution was approved by the Cantons and adopted on the 29th day of May, 1874. The Swiss Government is undoubtedly as perfect as anything human can possibly be. As a matter of course, this state of perfection is the result of six hundred years of practical experiments. After passing through the vicissitudes of war,—foreign, civil and religious,—exposed to the attacks of the surrounding powerful nations, who coveted those portions of Switzerland bordering on their States; internecine rivalries and fierce struggles; the resistance of the powerful landed, secular and monastic clergy to all innovations and progress,—the valiant and patriotic Swiss people came out victorious and covered with glory from all these

dangerous struggles and complications, and alike to the phoenix, their republic has emerged from the trying flames purified, consolidated and perfected. No wonder that these people love their mountains and institutions!

The Federal Assembly of Switzerland is composed of the *National Council* of 147 members (one for every twenty thousand inhabitants), elected for three years by direct vote of the nation, and the *Council of States*, consisting of forty-four members, likewise elected for three years by direct suffrage in part of the Cantons and by the legislative authorities in others. These two legislative bodies, in turn, elect the *Federal Council*, consisting of seven Swiss citizens, which is the executive authority, also for three years. They also elect the President of the Confederation from the bosom of the Federal Council, for one year, and the members of the Federal Tribunal (Supreme Court), of fourteen members and nine substitutes, for six years. The President cannot succeed himself and steps out at the conclusion of his year; but he may be re-elected at some future period. President and Vice-President are elected annually, in January, from the members of the Federal Council, which is, in fact, the Cabinet, who have the title of "Chief of Department," and exercise the same functions as the Secretaries composing our own Cabinet. The President may select any department he chooses, except those of War and Finance, which he cannot hold whilst he is President. The seven departments are: Interior, Military, Justice and Police, Foreign, Finance and Excise, Industry and Agriculture, and Posts and Railroads. Every Swiss citizen who has attained the age of twenty years is entitled to vote and eligible to office, *the clergymen alone excepted*.

Here are three wise provisions in the Swiss Constitution: the Presidential term of but one year and no immediate re-election; the inability of the President to occupy the position of either Secretary of War or of the Treasury; and the exclusion of all clergymen from the legislative assemblies. The servants of the Lord are thus relegated to their proper sphere. Switzerland has had enough of ecclesiastical troubles and does not want any more. For the same reason she has persistently refused to allow an apostolic delegate to reside at her capital

or anywhere in her territory. Some thirty years ago a papal ablegate came to Bern in spite of the government, and was politely reconducted to the Italian frontier.

The powers of the President of the Swiss Confederation are very limited, not at all in comparison with the immense faculties exercised by the President of the United States of North America, who is sometimes called "the King in a clawhammer coat;" for verily his attributes are superior to those of the Queen of England, the Kings of Belgium, Denmark, and several other monarchs. In the first place he is not only supreme commander of the army and navy, but also of the militia of the different States, when called into the service of the United States; he need not take actual command in the field in time of war, yet all orders emanate from him and he appoints and removes the commanders at his pleasure; he grants reprieves and pardons; he makes treaties with foreign nations, subject to the ratification of the Senate; with the approval of the same body he appoints the Secretaries of the Departments, Ambassadors, Ministers, Consuls, Judges of the Supreme and Federal courts and a host of other officers of the Federal Government, and so forth. Such powers were well vested in and safely confided to such men as Washington, Adams, Jefferson, Monroe, Pierce and Lincoln; but in the hands of more than one President of the United States of North America they were badly abused and misused. Therefore these powers should be restricted, especially that of *vetoing* any law passed by a majority of both houses of Congress.

The presumption that one single individual should know more about a measure or question that has been studied, sifted, ventilated, discussed and thoroughly examined for weeks and sometimes months, by the respective committees, and subsequently by hundreds of men supposed to possess some intellect, and that has been adopted by a majority of these men, is absurd in the highest degree. The only valid apology that could possibly be given for the anomalous veto power vested in the President might be that of undue haste on the part of Congress in passing an act; but our Solons in Washington,

like their compeers in the State Legislatures, are not generally afflicted by excess of zeal; on the contrary, delay and procrastination are their organic defects. The Constitution should be amended so that the President shall sign all bills passed by Congress within seven days, as a matter of form only and courtesy to him as Chief Magistrate; but in extraordinary cases only shall he have the privilege to return a bill to Congress with his brief and pertinent remarks, requesting that body to *reconsider* the bill and vote on it once more, but a *simple majority vote*, and no limit of two-thirds, shall be sufficient to decide the whole matter, and the President be bound to affix his signature immediately upon the second passage of such bill.

Of all the high gubernatorial stations on earth, some of which are "way up," as the vulgar saying is, including that of the Dalai Lama of Thibet, that of President of the United States of North America stands foremost in rank, honor and dignity. The man who does not recognize that fact is to be pitied. The Czar of Russia, who is the autocrat, secular and spiritual ruler over a hundred millions of people, extending over a larger territory than the United States, the master over the life, death and property of all his subjects, may be considered the most powerful ruler on earth; but, be his glory ever so great, it cannot compare with that of the Chief Magistrate of our own country. The latter does not inherit his station by the so-called divine right of succession, which is but an accident of birth, but he is chosen as first man in the country on account of his qualifications and his personal value. and he rules over seventy millions of free and intelligent people. not over serfs, slaves and ignorant men. The rank of President of the United States is often underrated and not sufficiently appreciated by the people in general, and sometimes by the incumbent himself.

Such an exalted, honorable and exceptional station should be surrounded by the highest respect on the part of everybody; no personal, insulting, or sarcastical, ridiculing articles concerning him should be allowed to appear in print, nor any caricatures made of his person, whilst in the presidential chair. His person during the four years of his term must be sacred to

all, high and low ; if we have cause to dislike and not to esteem the individual, his exalted rank above all of us must inspire reverence and respect ; else we befoul our own nest. The President of the United States is entitled to the *fullest and most ample protection* of his person and that of his immediate family at all times and in all places during his administration. In beautiful and perfect Switzerland no standing army is necessary, even the police being almost superfluous, as the people are sensible, patriotic and orderly. In France and other countries the President has a staff of army officers, called his "military household," performing the functions of aids, secretaries, ordnance officers, guards, etc. This is quite proper and useful besides. If in the now well-regulated and tested Republic of France such military protection is found appropriate and necessary, it is no less so in this country, so full of ill-disposed and crazy individuals, for whom nothing whatever is sacred. We reflect with sadness on the infamous assassination within twenty years of two of our Presidents, the great, immortal Lincoln and the unfortunate Garfield, a stain that will never be wiped from our national scutcheon, because we did not, and do not now, sufficiently and properly protect our Presidents. The President should have a military household of one colonel, one major and four captains of the army for protection of his person and the better service and dignity of his high office. Do not talk about Republican simplicity nowadays ; those times are passed long since. Steps to that effect should have been taken long ago, ever since the kind, gentlemanly and honorable Franklin Pierce was brutally assaulted on the steps of the capitol and rotten eggs broken on his head. We have too many miserable wretches and irresponsible cranks, who hover around the White House and even openly threaten the inmates.

Still more, a military guard of twelve soldiers and one officer should be stationed at the White House and a sentinel placed at the different entrances, said guard to be relieved once in four hours. Had poor Lincoln and Garfield been accompanied by one officer only, in uniform, with sword and pistol, they would not have been assassinated. We owe that much to the men who consent to take charge of the exalted but highly difficult

station at the head of this powerful nation. The other public buildings in Washington, too, ought to be protected by a military guard each and sentinels, relieved once in four hours. There is no saying to what follies and excesses certain dangerous and crazy elements may resort ; it is better to provide in time against such contingencies and thus prevent their occurrence.

When the population of the United States consisted but of a few millions, and the recent exploits of generals and civilians during the revolutionary period were household words, and the statesmen personally known, so to say, to every citizen, the choice of a President was no great difficulty and could be safely intrusted to the people at large. The provisions of the Constitution, too, were evidently intended to secure the election of the fittest candidate and the one who secured the majority of the electoral vote. These provisions have been entirely perverted ; the electors are no longer presidential voters, but mere dummies. The presidential elections of our day are farces ; we have no choice of men but the two or three candidates set up by the corrupt party conventions, composed of schemers, professional politicians and office-fiends, with a scanty alloy of honest and patriotic men. The nominations of these candidates take place amidst noise and uproar and scenes of a more or less undignified and indecent character. But few of the people know anything of the nominees for presidential honors but what they read in partial and biased newspapers, which either blacken the candidates completely, or praise them to the skies. Therefore it is not the people, as originally intended by the Constitution, that elect our Presidents, but a clique of politicians ; the people have no choice in the matter. And then consider the upheaval, disturbance and disorder reigning all over the country for a year or more previous to the real election. The game is not worth the money. The President and Vice-President should be elected every four years by the *Senate and House of Representatives* in Congress assembled, by a majority vote, from their own number. This process would not only bring immense relief to the country in general, but would undoubtedly insure the election of the proper man, because the

Senators and Deputies (as they ought to be called) have a far better opportunity to see and become acquainted with the candidates than the general public, who are mostly fooled and deceived in a shameful manner. It is only a wonder we have stood it so long! No President should be allowed to succeed himself, though he may be re-elected at some future period if he has done remarkably well during his first term.

The presidential messages are too long altogether; they lack clearness and conciseness, and instead of subserving the public interest, create confusion and frequently contempt on the part of Congress. The President should hand in a summary but clear report of his doings during the year, accompanied by the respective short reports of the members of the Cabinet, and suggest such measures as in his opinion and judgment may be necessary and useful. This document ought to contain but one-tenth part of the usual yearly messages to Congress, which are read and thrown in the congressional waste-basket, therefore losing their object and purpose entirely.

The salaries of the President and Vice-President are pretty fair. If the former is economically inclined, he can easily lay aside one-half of his salary as a reserve fund for later years. On the other hand a larger amount ought to be appropriated for the representation fund of the Presidential office, the public festivities and entertainments at the White House, etc., etc., such as are in harmony with the power, wealth and dignity of this great nation. After having filled the exalted station of Chief Magistrate of this mighty Republic during four years, the prestige of which will cleave to him as long as he lives, the fortunate ex-President should retire to private life and not engage in any vulgar and inferior profession. Some of our Presidents have not had sufficient regard for their dignity in that respect, and, to the great mortification of the sensible portion of their fellow-citizens, returned to ordinary though not dishonorable pursuits, one of them again becoming a member of a law firm and even consenting to plead in open court; another one acting as lecturer in a university for a consideration. George Washington and several others followed the illustrious example of Cincinnatus and returned to their farms. Charles V., the

mightiest emperor of his age, the ruler of one-half of the then known world,—Germany, Hungary, Bohemia, Italy, Spain, the Netherlands, part of Africa, America (then recently discovered) and a portion of India,—became weary of the burden of such a mighty realm and abdicated in favor of his son and his brother, retiring to a monastery in Spain, where he died after six years of seclusion ; there was dignity in that act. The most appropriate and dignified way of disposing of our retiring Presidents would assuredly be to create them members of the Senate for the rest of their lives. In this way they would not only occupy a most honorable position with regard to their own dignity and the satisfaction of the nation, but their emoluments as Senators would keep them from want, if they should retire poor, like Jefferson and others after him. But these are not the only reasons for seating them in the Senate, if we take into consideration that a four years' term in the Presidential chair must necessarily give them the vastest experience and a precious fund of knowledge of all our national and foreign affairs, that would prove more valuable than that of any twelve ordinary Senators combined. There are seldom more than one or two ex-Presidents in existence, when they retire from office, and the trifling emoluments coming to them as Senators would be hugely compensated by their further most valuable services to the nation.

During the course of several official visits to Washington, the writer has had ample opportunity to observe the principal departments of the Government and to study their different systems, thus gathering most valuable information. People who complain of "red tape," know but little of the mighty and complicated machinery required to run such a Government. The system of accounts, control and routine in the different departments is almost perfect and would be still more so were it not for the continual changes in officials brought about by the alternations of the political parties. Long before the elections approach the officials become agitated, anxious and afraid of the sword of Damocles suspended over their devoted heads, or the "political ax," as it is sometimes called in

official slang. This is absolutely wrong, as we have endeavored to show in a previous chapter, and a positive injury to the public service.

One of the commendable features that lend such superiority to the American Federal Government and facilitate its workings to an amazing degree, is the liberal system of printing carried out by the Bureau of Printing and Engraving belonging to the Government. Everything that can possibly be printed in the shape of account, record and other books, blanks of all possible forms, etc., is turned out by that great and useful institution for the better service of the Government, and the printing, binding and engraving are of the best and finest kind. In this manner a great deal of time and labor is saved in the departments at Washington and in all the Federal offices throughout the country, and the work in general is more uniform and correct than it would otherwise be.

We have found the officials in Washington from the highest to the lowest grades, with but a few exceptions, gentlemen of courtesy and marked attention to their duties. There is one drawback, however, to give it a mild name, greatly hampering the transaction of the public business, which is the vast number of feminine clerks infesting the different departments. There must be some seven hundred in the Treasury Building alone and thousands more in the other buildings. There are continual frictions, jealousies and petty acts of unpleasantness between a portion of the women themselves and the sterner male clerks. We have witnessed it and heard the opinion of chiefs of divisions as well as plain clerks on the subject, which is decidedly against the presence of the women; but they are powerless and have no choice, most of the women being forced on the Departments by the Senators, Representatives and other persons of great political influence. There are some very quiet, competent, elderly ladies employed as clerks, etc., but the great majority are unfit, have no business there and should be discharged. The Government of the United States should not be managed, even indirectly, by women; we believe there are still able men enough left to take care of it in the most efficient manner.

The department officials in Washington and in the other Federal offices throughout the country are faithful and honest, all that is said by the people to the contrary notwithstanding. Fraud, embezzlement and defalcation are difficult and of rare occurrence; the control by the auditors, controllers and special agents is very strict and complete. Still black sheep will be found in a large flock, and in this connection we have to find fault with the lengthy trials, languid process and inadequate punishment of the offenders, thus again pointing out the great defects in the entire judicial system of the country, commencing from the Supreme Court down to the justices of the peace, marshals, sheriffs, lawyers, etc., etc., all included. Law and the proper execution of it is the true base on which all good government is constructed, else it must sooner or later go to pieces. If our feeble efforts, as expressed in this book, lead to any kind of reform in this direction, we shall not have labored in vain. We feel convinced that the entire right-minded portion of our population coincides with our opinion on this subject, if not on any of the other theories we made so free as to express.

With great reluctance we must now enter on another most important subject relating to the Federal Government, which is the Senate and House of Representatives. There is no fault to find with the manner of electing the members of both Houses, but there is much to blame in the manner of carrying out the important mandates of the people, who have elected and sent them to Washington, paying a high salary, traveling expenses, etc., for very poor services. Experience has shown, during the past twenty years, that we have too many Senators; one Senator from each State would make a sufficient number to transact the business incumbent on that exalted body, expedite matters and reduce the public expenses. At the time of the election of a Senator by the respective State Legislatures, one or two substitutes should be elected, in case of the death or inability of the Senator, to replace him at once, which would obviate the improper practice of a Governor appointing an objectionable person to such an important position for an unexpired term, that might extend to a number of years.

The Senate should be deprived of the power of originating bills, but restrict itself to examining all bills passed by the House of Representatives, accept or reject them. If accepted, the bill should go to the President for his signature (no veto), and if rejected, be returned to the House for reconsideration; and here is where the required two-thirds vote would be in order. As long as bills can originate in both Houses of Congress and are amended, returned and again amended by one or the other, or by both, playing the game of shuttlecock, so long will our legislators never accomplish their work, clean up the entangled mass of accumulated matter and give that satisfaction to the revenue-paying citizens to which they are justly entitled. As it is, neither the Senate nor the House do their full duty and do not come up to the rightful expectations of the nation.

The moment a man enters the sacred portals of the Senate, he should leave his strong party feelings behind him, adopt loftier views and ever bear in mind that, even if he has been sent there by his political party against the wishes of his opponents, he has now become the *exalted servitor of the whole nation*, whose welfare should be considered above all other things. Unfortunately this is but rarely the case with our Senators. Political differences, party shades and sectional prejudice have some causes to exist in the Lower House, though even there they should not predominate; but the United States Senate ought to be above them and absolutely impartial, or better have no Senate at all.

Supposing that the initiative for introducing bills, or projects for legislation, should be taken from the Senate, and its functions in this respect restricted to passing on bills already approved by the House of Representatives, there would still be plenty of work to perform by the Senate: the examination of treaties with foreign countries; the appointment of Ambassadors, Ministers, Consuls and agents abroad, of the Judges of the Supreme Court, of all United States Court Officials, army officers, and of all other higher employees of the Government, established by law; besides a host of other executive matters, all of which require the approval of the Senate, before they can go into effect. In case any Senator should have a useful and

beneficial measure to offer, he would find no difficulty whatever in getting a bill introduced into the lower House and duly supported; but no bill ought to originate in the bosom of the Senate. The evil results of this dual initiative have been practically proved, and our people are tired of the procrastinations, lack of conclusions and general tomfoolery prevailing in Congress. We want prompt and good legislation instead of waste of time, words and money.

Article I of the Constitution of the United States of North America contains a clause reading: "Each House may determine the Rules of its Proceedings, punish its members for disorderly Behaviour, and, with the concurrence of two-thirds, expel a Member." This clause would seem as plain and effective as anything can be, but the two Houses of Congress have not yet framed *all* the necessary rules that are urgently needed at the present time. Disorder reigns but too frequently in the Senate as well as in the House; many members conduct themselves in a shameful and undignified manner during the sessions; others absent themselves without leave and neglect the sacred duties they have voluntarily imposed on themselves, and for which they draw ample pay and emoluments; others do not deem it worth while to attend at all during a whole term, or condescend to do so only for a few weeks, to cover appearances. There seems to be no way of enforcing the many rules laid down by the different assemblies of Congress. It frequently happens that members, not content with using vulgar, profane and unbecoming language toward each other and of failing in the respect due to the presiding officer, if not to their colleagues, indulge in threatening attitudes and even personal encounters. If such conduct is already disgraceful in a primary election meeting, it becomes a most serious offense in the sacred precincts of Congress, and the offenders must be severely dealt with. But it seems, after the most disgraceful scenes, a simple apology is deemed sufficient and generally accepted. Offensive and disorderly Senators and Congressmen must be reprimanded, fined, suspended, or expelled, according to the magnitude of the trespass.

During the course of our extensive travels we have attended the sessions of legislative bodies in Mexico and Central America, the Reichsrath in Vienna, the Parliament of Rome, that of England, France and Switzerland, and we have listened to fiery and violent debates on all sorts of subjects before the Houses; we have also witnessed disgraceful proceedings in two of them, especially in France in the Chamber of Deputies, which we will relate presently; but our own Congress, which, as a matter of course, we have not neglected, bears the palm in disgraceful scenes and disorderly conduct. There may be mitigating circumstances in favor of the House of Representatives, the members of which are generally younger men and less experienced in the ways of parliamentary discussions and rules; but when it comes to the Senate there is no excuse whatever for such an exalted body to overstep the limits of public decency and propriety and indulge in rowdy and disorderly conduct. The Senate often presents scenes of great confusion and disorder; the member who has the floor is hardly listened to; some members are writing notes and letters, others reading, others chatting, others going in and out, as if the Chamber were a pigeon-house. The speakers should be compelled to step on a special tribune, if they have any speeches to make, and not be allowed to address the Senate from their desks. This desk business is a great nuisance and should be done away with, as it distracts the honorable gentlemen from the attention due to the matters in hand and gives them all sorts of opportunities to divert themselves. Take away those desks and oblige the Senators to listen, or at least sit quiet during the sessions, as they did in the times of Henry Clay and Daniel Webster. We are only surprised that the honorable gentlemen do not go one step further and provide lounges and rocking-chairs besides the huge desks with which they are supplied already. If they want to do any writing let them go to the rooms set apart for that very purpose.

Speaking of rules of procedure and government within the sacred legislative chambers, those in force in the French legislative bodies, especially the frequently turbulent Chamber of Deputies, in so striking contrast with the dignified and

well-regulated Senate, are excellent and would come extremely handy for our Congress, in which both Houses seem to rival in excesses. The penalties there are : first, being simply called to order; second, called to order with inscription on the minutes; third, suspension for one or more sessions, with or without pay; and last, expulsion. We happened to be present at a stormy sitting of the Chamber in Paris, when a recalcitrant Deputy, disregarding the repeated calls to order, was condemned by the President, with the approval by vote of the Chamber, to exclusion from fifteen sessions and loss of one-half of his pay for two months. A dose of this kind of patent medicine would bring great relief to our Congress !

When in the French Chambers the disorder becomes too great and cannot be abated by ordinary means, the President puts on his hat, which signifies an immediate suspension of the session, and leaves the hall. There have been exceptional cases, when the punished member refused to leave the Chamber; the remedy then applied was suspension of the session, evacuation of the Chamber by all members and subsequent removal of the fool by the Colonel in charge of the palace, aided by a sufficient guard. Our own Capitol in Washington should be amply protected by a military guard, commanded by an officer under the orders of the President of the Senate and Speaker of the House, in order to provide against all emergencies and the intrusion of tramps, fools and other obnoxious elements, that come to interrupt the peace of the assemblies. If our Senators and Representatives absent themselves on private business for more than one week, they should not receive any pay.

No member of Congress of either House should be arrested at any time during his entire term of office, except for overt criminal acts, and the consent of the respective House should be necessary to try him in any court. Such tricks as "no quorum," filibustering, tests of endurance and other subterfuges to defeat prompt action on the part of the two Houses, are a disgrace to the bodies and should be stopped by stringent rules also.

We have an unusual number of millionaires in Congress. These people seldom seek the honor except for selfish purposes,

to work for and attain certain objects in favor of their corporations and private speculations, with but little concern for the general welfare. Some of these millionaires seldom attend the sessions, but they never fail to draw their unearned pay and emoluments ; they should at least have decency enough to relinquish these.

It is a great mistake to think that the Senators should be elected by direct vote of the people. We have already bother and trouble enough in the elections, as they are now carried on, and verily believe that a State Legislature is far more competent to choose the proper person for the Senate in Washington, than the mass of the people, who know him only by hearsay and by the one-sided reports of biased newspapers. The same powerful reasons already stated for the choice of President by Congress assembled, obtain in the case of the Senators. In France, too, a strong movement is on foot to abolish the veto power of the Senate. It is not deemed proper that a Senate elected by restricted suffrage should have the right to hinder and embarrass the action of the lower House, elected by universal vote and four times superior in numbers to the Senate. In England the Government itself has given the signal of revolt against the House of Lords, and that body will certainly be either thoroughly modified or abolished altogether, though the latter alternative would be contrary to the traditions of Great Britain and of questionable benefit.

The Federal Government places its condemned prisoners in the State correctional institutions and pays board and lodging for them, military prisoners excepted, who are located in military prisons to serve their sentences. Separate prisons ought to be erected for the civil portion of the nation's offenders, which might be guarded by a detachment of infantry and be thus kept on an independent footing.

There are a number of periodicals in Washington recording current Government events, but their news is not official and authentic. To our knowledge only the Patent Office has an official organ, called the "*Official Gazette* ;" however, it deals only on matters relating to inventions. It would be much

better for the Government and the public, if an "*Official Gazette*," or "*United States Monitor*," were published daily, or even weekly only, containing no advertisements of any kind, no leading articles, no commentaries, but simply the actual proceedings of Congress when in session, the movements of army and navy, appointments to and changes in Government circles all over the country, the doings of the Supreme Court and the various departments, and such other items as may be deemed meet and proper to be communicated to the people. Such a publication would be an immense success, and the expenses largely covered by a hundred thousand subscriptions, the very least, besides obviating the great annoyance entailed on the various officials on the part of indiscreet and insatiable reporters hanging around the Departments. Matters that should forever remain secret for diplomatic and international reasons, or only be published at the proper time, have frequently leaked out prematurely. Presidential messages and other important documents have been purloined, to the great mortification of the parties concerned, whilst the guilty reporters and their employers were gloating over their indecent success and the doubtful means by which it was achieved. In matters of State not everything can be communicated to the general public. For these patent reasons an "*Official Monitor*" would be the very best thing, and the news published in it sufficient for all honest purposes. From this the papers could copy all they want, and need not be at all ashamed to get such official news second-hand. It matters very little whether it be known a day or two later than by the present loose and entirely unreliable system. To-day an item of more or less importance is telegraphed; to-morrow it is contradicted or modified, and the reader remains in doubt about the real facts.

The Diplomatic and Consular service of the United States is very defective and of shameful irregularity; every sensible man knows it. In this manner the efficiency of such an important service is not only greatly impaired, but we also expose ourselves to the unfavorable criticism of other nations.

Commencing with Benjamin Franklin down to a recent period, we have had diplomatic agents abroad that were an ornament to our Government and second to none of other countries as to their brilliant official and personal qualities; but the great majority were only partly fit for such honorable positions, and not a few a disgrace to the nation. The writer became personally acquainted with several American diplomats abroad who were brilliant exceptions; two of them the sons of two of the greatest men in our history, and another one most eminently qualified as a gentleman and scholar for the distinguished office intrusted to him; all three becoming special favorites not only with the Governments they had been accredited to, but also with the highest classes of society. Unfortunately we had to meet, on the other hand, several sad specimens of American Ministers, Consuls-General and Consuls, representing our great country, who had better have remained at home in their proper sphere than to have been called from their second-class law office, country editorial chair or bigoted pulpit to assume important diplomatic functions, of which they had no more notion than a cat has of a chronometer.

We will here relate a strange diplomatic incident that happened years ago in one of the Spanish-American Republics, the writer being present as Secretary of Legation. Our Minister had arrived at the capital after a week's travel on horseback, wearing a black dress coat and glazed cap. His reception at the palace took place the following morning, when his luggage had not yet come up; but he did not hesitate to present himself before the President, his cabinet, the high functionaries and diplomatic corps, in that travel-stained dress-coat, looking extremely shabby. Not accustomed to the ceremonies usual on such an occasion, our Envoy stopped in the middle of the Audience Hall, and, not knowing what to do with his glazed cap, deposited it on the floor by his side. The situation was ridiculous and very painful, but the President came to his relief good-naturedly and overlooked the breach of etiquette. Similar incidents have happened in other capitals, in which American diplomats were the conspicuous actors.

Some persons are born diplomats ; but notwithstanding this advantage, long and careful training is necessary to fit one for this delicate and honorable career. For this reason the diplomatic service in other countries is treated as a distinct branch, in which candidates enter the lower grades, become Attachés, Secretaries of Legation, Vice-Consuls, Consuls-General, Envoys and Ambassadors, according to their more or less rapid advancement and their individual merit and qualifications. An American Consul, Minister, or Envoy should know either the language of the country he is sent to, or in place thereof, French at least, which is so universally spoken in official circles ; if not, they have to submit to the humiliating intervention of interpreters, and the object of an interview with the foreign official is in peril of not being properly accomplished. Several of our diplomatic agents to Spanish-American Republics were quite successful and well received on account of some knowledge of the Castilian language, which enabled them to converse with the officials without the aid of an interpreter. It is an immense mistake to recall our ministers and consuls after every political change, in order to give their positions to incompetent and often unworthy persons, as a compensation for electioneering services or pecuniary contributions in favor of their party. We have quite a number of foreign missions for which there is not the slightest need ; these should be suppressed. In such countries a Consul-General, or simple Consul, would amply suffice for the limited diplomatic business that might perhaps turn up at some time. In cases of serious complications a Special Envoy might be in order, to be recalled as soon as his mission is accomplished. Three or four ministers for the whole of Europe should be sufficient, with the necessary staff of secretaries and attachés well versed in the necessary languages and in general diplomatic matters.

Several attempts have been made in Congress to reform and improve the diplomatic and consular service, so as to render it efficient, useful and ornamental at the same time ; but all these efforts were in vain and will be fruitless as long as the periodical "removal cancer" is gnawing the political vitals of this great country and as long as "*Vae victis*" is the motto

("To the victor belong the spoils"), without the slightest regard to the merit of the candidates for office and the advancement of the public service. Newspaper opinions and admonitions on public matters are of very little benefit; the people have become indifferent to their erratic and chameleon-like utterances.

"No person in the diplomatic service of the United States shall wear any uniform, or official costume, not previously authorized by Congress," is one of the rules of this branch of the public service. We have personally heard several of our foreign envoys complain of this provision, which has become traditionary in our customs. Perhaps it would be better for the State Department to follow the universal custom and adopt some sort of distinguishing costume for our diplomatic agents abroad. Benjamin Franklin invented his famous black velvet suit for court service in Paris and wore a light sword; but those were the times of knee breeches and pigtails, by far less stupid, ridiculous and impractical than the male dress of the present period. It is indeed inconceivable how it was reserved for the nineteenth century with its inventions and progress to invent and adhere to such a system of wearing apparel, including the horrible stovepipe hat and the long pantaloons, after mankind had been dressing decently for five thousand years.

If there is any august tribunal on our globe from which there is no appeal but to the Creator, whose decisions are seldom known to mortal man in his lifetime, it is the *Supreme Court of the United States*; if it is not, it ought to be! The framers of our unique Constitution have made the appointment of the Supreme Justices "*ad vitam*," precisely for the purpose of placing them above the vulgar vicissitudes of party politics, and thus make them permanent, unattackable and beyond even the suspicion of corruption. Had they been able, in the purity of their hearts and the honesty of their purpose, to foresee what disgraceful elements would creep into even the Supreme Court and tarnish its splendid glory, they would have surrounded it with still greater protection from

any such possible contamination. The United States Supreme Court consists of nine members, one of whom bears the title of Chief Justice and presides. Their pay and emoluments are quite sufficient ; neither do they seem to exert themselves to any extraordinary extent, taking their duties, business and things very easy ;—too easy altogether, considering the enormous mass of business which has accumulated during so many years, and which they will never get through, unless relief comes in some shape by modifying their functions and by increasing their number to *thirteen*, a lucky number for the United States of North America at least.

The United States Supreme Court has jurisdiction over controversies of a civil nature where a State is party, but not between a State and its citizens, or between a State and citizens of another State, or aliens, in which latter cases it has original but not exclusive jurisdiction ; jurisdiction over suits against ambassadors, or other public ministers, or their employees ; it has power to issue writs of prohibition in the District Courts and writs of mandamus to any United States Court ; appeals from the decisions of these courts ; and in brief, judicial power in all cases in Law and Equity arising under the provisions of the Constitution, the statutes of the United States and the treaties made. The theory and practical working of this august tribunal are thus fully prescribed by the fundamental code of the nation ; but times alter circumstances, and when it is seen that our Supreme Court is no longer able, on account of the limited number of nine justices and the immense increase in the public business, to perform its duties properly, reform has become absolutely necessary in this the highest and most sacred department of the Federal Government. There should be a limit of age for the retirement of the justices on half pay, or when they become physically or mentally incapacitated to perform their duties. There are several members of the Supreme Court who should have resigned years ago for the latter causes.

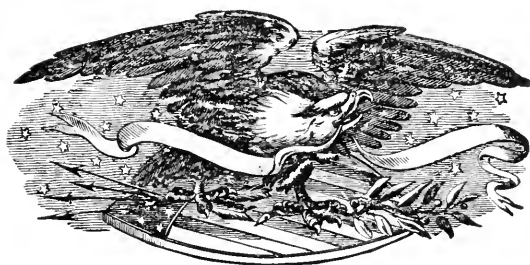
The comments made in the third chapter of this book on the functions of the Supreme Court properly belong to this division ; but it is not necessary to repeat them here,

further than to again emphasize the necessity of *prompt decisions by all courts*, commencing with the lowest State court and ending with the highest tribunal of the land. By this process alone, *and by none other*, can the majesty of the law be upheld, and that awe, respect and implicit obedience to all the statutes be insured, which form the strongest basis of all governments. Delays, procrastination, chicanery and subterfuges in judicial matters only irritate the people and bring the law into disrepute, at the same time affording the so-called "legal profession" the desired opportunities and a golden harvest.

The Supreme Court has the power to nullify and set aside such acts of Congress as are contrary to the spirit and text of the Constitution. This is perfectly in order; but our Supreme Court should derive its information concerning the unconstitutionality of a bill passed by Congress from other sources than from the spiteful protest and foolish arguments of any legal shyster, who, at the end of all his resources in a case, often resorts to this subterfuge, the same as he is accustomed to do with the "insanity" plea; it is he who is generally insane, not the client.

There is one case unforeseen and not provided for in the Constitution of the United States of North America. In the present seemingly endless conflict between the principal political parties and with the unpleasant prospect of further complications arising, with the sad example set by the present Congress, the action of one or the other House may at any time become paralyzed, if not entirely blocked, or as the parliamentary slang has it, "deadlocked," without any prospect of one side yielding to reasonable argument or the stronger voice of true patriotism. What then? The Supreme Court of the United States should have the power, upon the demand of the President, supported by the Senate, or the House of Representatives, to dissolve the impotent, dissenting, or mutinous body and immediately order new elections in order to restore peace and harmony in Congress and expedite the transaction of business put in jeopardy by the impotent House or Senate. A contingency of this sort is hardly likely

to happen; still, is it not much better, if a case of such transcendent importance, equal to a national calamity, should occur, to have the remedy already enacted, than to risk chaos and confusion, as in certain Presidential elections, that came pretty near resulting in a new sanguinary civil war of gigantic proportions and the disruption of our great Republic?



IX. UNITED STATES ARMY.

WITH a sigh of relief and a feeling of satisfaction we have now reached the last chapter of our self-inflicted task: the *United States Army*. As the traveler, after crossing a high and rugged range of mountains, deep gulches and ravines, swift and dangerous torrents, emerges finally from his hardships and fatigue and sees before him the goal of his weary journey, so do we rejoice to have reached the object of our taste and inclination, the Army. Here we have hardly any fault to find, although we will pass the necessary comments. Of the few stable and permanent institutions of this great Republic the Army is the most important in all respects. Our people in general know but little of the United States Army: now and then a brief notice of some change of superior command, promotion, or retirement of officers; more frequently the sarcastical, unjust and arbitrary criticism of our newspapers on some event or other in garrison life, if it be sensational enough to attract the attention of the reporters. It is therefore a most agreeable duty for the writer to give the kind and indulgent reader some information, at least, on this very interesting subject.

Of the United States Navy we have made mention already and have but little to say; it is a branch of the public service of which we do not know enough to discuss it fairly and intelligently. We may say, however, that we have had frequent opportunity to visit United States men-of-war in different foreign ports, and that we had the honor of being acquainted since our youth with naval officers, several of whom rose subsequently to high rank in the Navy, and those yet living will remember the episodes. The officers of our Navy are gentlemen in the fullest sense of the word and second to none of other navies in scientific and technical knowledge. We seldom hear of the loss of American war vessels. The officers of our Navy acquire a particular polish and courteous manners by their travels abroad and contact with high officials, as

well as of refined society, in foreign countries. Promotion, however, is too slow and makes it almost hopeless for a Lieutenant to ever attain the rank and emoluments of Captain, before he is himself too old to enjoy such an improved position for more than a few years. We require a great many naval officers of the fullest competency in case of foreign complications; such officers cannot be supplied by the merchant service nowadays with the complicated contrivances of the modern war ships and scientific artillery, torpedoes, etc. There is a remedy for more rapid promotion; leave only the younger, strong and able officers in active service on board the vessels and assign the older to shore duty, where there is almost as extensive a field for their most valuable services, enhanced by years of practical duty on board, as there is in the active line. The Navy Department at Washington and the yards in different parts of the country can easily absorb five hundred officers for shore duty, available in case of danger. They would be more useful than the many civilians employed in these departments. No officer of the Navy should be assigned to shore duty unless he has done at least ten years of sea duty, tempered by an occasional leave of absence of a couple of months, according to the nature of his service. In former years, Lieutenants of our Navy were granted leave of absence to enable them to take command of steamers conveying the United States mails, their government pay ceasing during such leave. This practice might have been continued in order to give more of the younger officers active sea practice.

The writer has had the good fortune to study, in an official capacity, the principal military systems of Europe and several American Republics, and to admire the appearance, organization, outfit, armament and vast numbers of the European troops. But a few years ago he witnessed the massing of an army of 120,000 men with 600 pieces of field artillery within a square of less than two miles in the southeastern part of France. With these vast armies, however, we have nothing to do in this work. Their numbers are excessive.

Even admitting that a numerous standing army is necessary to uphold the governments of Europe, and to guard against the latent dangers of uprisings, revolutions, sacking and plundering on the part of the "disinherited of fortune," as Victor Hugo calls them, the number of troops of the line kept under arms is still by far in excess of what is needed for the defense of the frontiers and protection of life and property.

Here again the Swiss Republic takes the palm. Before entering on the subject of our own Army we think it proper and of interest to the kind reader to give a brief account of the admirable military system of Switzerland, which, however, would not be suitable to any other form of government but a democratic Republic, or perhaps a completely constitutional monarchy, in which the ruler is but an hereditary President with absolutely limited powers. There is no standing or regular army in Switzerland, nor does she need any. Yet every citizen is a trained soldier, classified and assigned, available at any time, if he is called into service, and a formidable factor to count with. He not only allies personal physical vigor to the necessary military training, but is also possessed of valor, endurance and above all, the most ardent patriotism. These inestimable qualifications of the Swiss have been illustrated hundreds of times in their history. If these hardy mountaineers in the middle ages were able to repel all invasions of hosts superior in numbers, means and armament, and to win such brilliant and overwhelming battles as Morgarten, Sempach, Näfels, Grandson, Murten, etc., etc., when their country was small and hardly united, without resources and allies, what must not be their present power, closely united in one solid body, amply supplied with means and fitted out with the most improved armament? Certainly not inferior to their might and strength of former times, and their incomparable natural defenses have not been altered.

Switzerland is bordered by Germany on the north, Austria on the east, Italy on the south and France on the west. The neutrality and inviolability of her territory have been guaranteed by these powers; neither is there any desire on the part of either of them to encroach on the rights of Switzerland,

or to covet a portion of her territory, all points on which the glorious little cradle of modern liberty will allow no interference of any sort and under any pretext whatever. Prussia tried to despoil Switzerland some forty years ago by laying claim to the Canton of Neuchâtel, but the scheme would not work ; and only recently the Imperial Government of Germany made some unjust demands on her with regard to the anarchist question, only to find out that the Swiss are as firm in the support of their rights as are the foundations of the famous Mount Pilatus near Lucerne.

Notwithstanding the lack of a regular standing army in Switzerland and the absence of garrisons in her capital and large cities, the country enjoys absolute internal peace and security; a handful of policemen and gendarmes is sufficient to preserve order. This is in most striking contrast with most of the other capital cities of Europe. Paris, Vienna, Berlin and Rome for instance have an average garrison of ten thousand troops of the line at least, at all times. Supposing for a moment that these garrisons were withdrawn for some reason, with no prospect of a speedy return, the lower classes would rise at once, proclaim a republic and probably sack and plunder banks, stores, depots and government buildings; enough blood would be shed in a few hours to flow in the gutters.

The military establishment of Switzerland, efficient for all effects and purposes as it is, has the overwhelming advantage of cheapness, as compared with the exorbitant budgets of other States. In the fiscal year of 1892, for instance, the military expenses of the Confederation were 52,756,008 francs (about ten millions of dollars) for an army of two hundred thousand available men, and in this amount were included several millions extra appropriations for fortifications found to be necessary to complete the system of the national defense, amongst which may be counted the magnificent works on the St. Gotthard mountain toward the Italian frontier.

The only real danger to Switzerland exists in the hostile disposition latent among the powerful neighboring States,—France on the one hand and the triple alliance on the other. Germany, Austria and Italy combined and sincerely faithful to their compact, would no doubt be a most formidable foe to

combat; yet, with the aid of a powerful French army, Switzerland might again destroy such vast invading hosts and these share the sad fate of Duke Leopold of Austria and Charles of Burgundy, whose armies were not only utterly defeated by the Swiss, but themselves slain like common troopers on the battlefield. The principal and almost exclusive military aim of the Swiss Government is to secure a perfect system of defense, to insure, and if need be enforce, her neutrality and the inviolability of her territory, which, moreover, is so admirably adapted by nature, on account of her mountains and passes, to resist a tenfold superior enemy, the Swiss soldiers being supported by the most ardent patriotism, and what is still more valuable, the deadly skill of these people with the rifle. Woe unto the army that ventures into such a trap and at the present time!

For the reasons just stated the army organization of Switzerland differs entirely from the systems prevailing in other countries of Europe. If she does not require and cannot afford the questionable luxury of a standing army, on the other hand nothing has been neglected by the Swiss Government, in accordance with the Federal Constitution, to render the system of organization and means of defense as complete and perfect as possible. Here we have no useless experimenting, extravagant and foolish waste of funds; the military questions are studied by thoroughly competent and honest officers, reported on, and quick resolution and action follow right off. A comparatively small force only is necessary in time of peace to train and prepare all the citizens liable to military service, and yet this small force permits the formation of a powerful army in case of war or internecine troubles.

The Military Department of the Federal Council, residing in Bern, the capital of the Confederation, exercises the supreme military authority in the Republic and over the local military authorities of the several Cantons.

Every able-bodied man having attained the age of twenty years is liable to military service, cripples, blind, and weak constitutions alone excepted. The military training is short but careful, and embraces all that is necessary to make a staunch and well-disciplined defender of the soil; the young

men take to it very willingly and with the evident satisfaction of fulfilling a sacred duty ; the short period of drilling and theoretical instruction, as well as the temporary change of residence and habits, afford them recreation and enjoyment. The new recruit first enters an establishment called the School of Recruits for a period of from two to three months, according to the arm of the service he has been assigned to. Their instructors are highly competent, experienced and humane officers and non-commissioned officers, who have also charge of the repetition courses that take place every third year, when the men are called out again; these repetition courses last but a few weeks. The officers, as a matter of course, meet more frequently and for longer terms, their instruction being much more complicated and elaborate than that of the men. During their term of active service the soldiers are found and paid by the Government. The total military liability is thirty years ; of these, thirteen years must be rendered to the first class (" Auszug "), twelve years in the reserve (" Landwehr "), and five years in the ban (" Landsturm "). The latter class comprises all able-bodied Swiss citizens from the age of seventeen to fifty years, who have not been called in, or who have been discharged from the other two classes. The time of service for the officers is much longer, since they are subject to duty in the last reserve up to the age of fifty-five years. All those who have been exempted from military service are obliged to pay a military exemption tax, the amount of which varies according to the circumstances of each individual.

The officers of the Swiss Army receive their first training in the Officers' Preparatory School, after which the study of special branches of the service is assigned to them, the final ordeal of examination being very strict. No less efficient schools are provided for the education and proper training of the non-commissioned officers in each division district. All these establishments are of the highest standard, earnest study and no tomfoolery being the rule and practice there. The early military training of the young men of Switzerland is still further promoted by a number of military schools and academies, which are much frequented, and by the no less important and quite numerous associations of sharpshooters,

who practice continually on targets of different kinds and have acquired for the Swiss the formidable reputation of being the first shots in the whole world. In case of war the Swiss soldiers would not have to waste as many bullets as their opponents, and the proportion of ten thousand of these latter slain, against seven hundred Swiss, as in former times, would most likely be repeated on all occasions. The officers, moreover, attend frequent meetings called for the purpose of exchanging views, for scientific discussions and good-fellowship.

There being no need of a standing army in Switzerland, as is more or less the case with the surrounding States, including the mighty French Republic, the number of permanent and professional soldiers is limited to the quantity required for the fundamental formation of the army, the corps of instructors, the guarding of depots, barracks, arsenals and magazines, and the permanent Staff of Officers, whose special duty, aside from the general supervision of the service, is the study of arms, equipment, accouterments, ammunition, ordnance and all matters appertaining to the art of war and fortification. This staff is one of the most efficient that can be found in any country, and the Confederation may be justly proud of it. The Swiss Army has no Generals; the highest military rank is Colonel; in case of war the Federal Assembly elects a Commander-in-Chief with the title of General, which remains with the incumbent ever afterwards. Brigades and divisions are commanded by Colonels.

Switzerland is divided into eight divisionary districts, each of which furnishes one division of the first draft ("Auszug"), consisting of twelve battalions of infantry, one battalion of sharpshooters, one regiment of cavalry of three squadrons each, one brigade of artillery with six batteries, one battalion of engineers and the requisite number of train, medical and camp service. The reserve troops ("Landwehr") are organized in a similar manner in eight divisions, which, added to the eight divisions of the first draft, makes the formidable total of sixteen divisions of troops of the line, which on a war footing is about two hundred thousand men. The third ban ("Landsturm"), only called out in extreme emergencies, would amount to as many more.

The Swiss armament is always up to the most improved system. Two years ago the troops were supplied with a new rifle of small caliber, of deadly effect in the hands of such superior marksmen. The field artillery is of the Krupp pattern, consisting of 8.4 centimetre cast-steel ring-guns. The heavy or fortification artillery of twenty-five companies is not included in the above formation of divisions. Foreseeing the possible, though not very probable, danger of an invasion of her territory, in spite of the guaranteed neutrality, on the part of foreign troops for purposes of strategy, or simple transit only, the Swiss Government has gone to work quietly for the past ten years to strongly fortify the principal passes and strategical positions. The magnificent fortifications of the St. Gotthard, for which no expense has been spared, are nearly completed now.

The Swiss soldiers on the streets and in the ranks do not present that stiff appearance and proud exterior of the soldiers of several of the other European armies, the Germans being in the front in that respect, bound by a discipline of iron and steel. Nor are their uniforms as shiny and handsome ; but in point of real military qualifications, force of endurance, solid valor and patriotism of the most ardent kind, the Swiss cannot be surpassed. Theirs is an army of free citizens, not coerced into the service nor paid as hirelings, but looking upon their comparatively light and short service as an agreeable sacrifice to their country. When the employees of commerce and trades and the laborers and farmhands are called into the service for the first and rotary exercises, their places are kept open for them until their return home, their wages going on just the same, as in justice they ought to go on.

The uniform of the Swiss Army is somewhat like that of our own United States Army: Dark-blue tunic and pantaloons of a lighter blue ; their head-cover, a sort of *képi* with two visors, may be strong and practical, but it is not very pretty. The officers wear shoulder straps similar to those used by our own officers in undress, by which their relative rank may be distinguished. A peculiar feature of the Swiss Army is a band of red cloth with a white cross (the banner of the Confederation) worn by all around the left arm, in full dress.

The foregoing brief description of the Swiss army organization will no doubt suffice to give our military as well as lay readers a pretty correct insight into its superior solid system.

Ever since the formation of the United States of North America it was found indispensable to maintain a standing army for the protection of the new country in case of war and to keep the then numerous tribes of Indians in proper check. There have been almost continual and bloody Indian wars up to the past decade, the most protracted and difficult of which was the Seminole War in Florida, finally terminated by the surrender of Billy Bowlegs, their chief. These wars alone would have kept our little army and its officers in almost constant activity, even if the war of 1812, the war with Mexico in 1846-47, and the recent gigantic struggle with the Southern Confederacy had not come in as between-acts to keep our soldiers in proper training.

As compared with the armies of other nations, that of the United States occupies a unique and exceptional position. It is the best-dressed, best-fed and above all best-paid army in the whole world. The yearly expenses of this little army are therefore as great as those of an army ten times its strength in Europe. Although recruited exclusively by the enlistment of men, who present themselves voluntarily for the lengthy term of five years, either to escape misery, when out of work, or from patriotic, ambitious, or any other motive, the fact stands forth bright and undeniable, that our army is well disciplined, reliable, enduring and as brave as any other. This has been amply proved on a hundred occasions, especially during the Mexican War, when a small army of a little over thirty thousand men invaded that country in three distinct columns, two of which converged from considerable distances and under grave difficulties to the capital of Mexico, whilst the third operated in no less a brilliant manner in the northern part, under General Taylor. The victories were hard fought and decisive, the Commander-in-Chief, Major-General Winfield Scott, his subordinate Generals, officers and men earning *many*

and well-deserved laurels. They were duly rewarded by a grateful country, the soldiers receiving each one hundred and sixty acres of land as a bounty, after the close of the war. Yet, strange to say, in spite of the recent glorious campaign in Mexico, the United States Army in the fifties was looked upon with anything but favor by the American people. A private, or non-commissioned officer in uniform, on the streets of the cities was subject to jeering and insulting remarks, sometimes even to acts of personal violence ; the officers very seldom were seen anywhere except in civilian's dress, and if they had to appear at all in uniform for courtmartial and other military duty among the citizens, the uniform was partly disguised by civilian cloaks and other pieces. It is difficult to explain this sentiment, except that in those times men only enlisted in the army when they had no other resource left and often with the fixed purpose of recuperating and deserting as soon as possible, in spite of the awful punishment meted out to deserters, of which we shall make mention later on.

After General Franklin Pierce had been elected President of the United States against his powerful political competitor and former commander in the Mexican War, General Winfield Scott, this old veteran took his defeat very much to heart and moved the headquarters of the army from Washington to New York City, occupying a small, modest red brick house with green blinds, where we more than once had the distinguished honor of conversing with the venerable veteran, though then a mere boy. The pay of enlisted men was then much smaller, the fare poorer and, by way of compensation, the discipline much more rigorous than at present. Washington himself was a strict disciplinarian and allowed no nonsense in that respect from either officer or private ; and this was absolutely necessary at the time of the Revolutionary War, with his scanty resources in troops, material and funds. The difference between the army of now and forty years ago is quite marked, as a natural and logical result of the great struggle of the Rebellion, which caused nearly two millions of men to take up the profession of arms for four years and diffused a strong military spirit among the entire population. Whilst in former times the army consisted for the most part of Irish, German

and English enlisted soldiers, with but a few native Americans, the latter element is at present much more numerous, the ancient prejudice against the profession of arms having been removed and the service rendered more tolerable, with some chances for the promotion of enlisted men to the rank of Second Lieutenant. Before 1854 no mustache or beard of any sort was allowed in the United States Army, with the exception of an apology for side whiskers, that were not to reach below the tip of the ear. Dragoon soldiers and officers, however, were permitted to wear mustaches, and so was that *élite* corps of cavalry, subsequently abolished—the regiment of Mounted Rifles. It took nothing less than an Act of Congress to enable the poor soldiers to wear their beard as they pleased, “provided it be neatly trimmed and not too long.”

It is a source for congratulation that there are at least three stable, fixed and permanent institutions in this country, not subject to periodical changes of their “personnel” by the elections and to the dangers of the political ax, much as our stupid and unscrupulous politicians would like to control even these few independent organizations. They are the Federal Supreme Court, the Army and Navy, and if this Republic is to continue to exist for such a period as human institutions are susceptible of, they had better remain so in future. Our Army could be still more perfect and efficient were it not for the frequent meddling and unnecessary interference of generally incompetent civilian committees on military affairs in both houses of Congress. The organization of an army, its improvement, progress and welfare, must be left to the initiative of an able General Staff Corps, which however, we do not possess in this country, and not to the incompetent caprice of congressional committees, whose sphere ought to be confined to examining the projects submitted to them as a matter of form, and to recommend or refuse the corresponding appropriation, if it be a question of funds. Too sudden and frequent changes in the service will lead to uncertainty and disorder, that can only impair its required efficiency.

We have nothing but praise for the officers of the United States Army, many of whom are veterans of the late war, and would not now be active officers were it not for good and valuable services rendered, and, in a great number of cases, for gallant and meritorious conduct in the face of the enemy. The officers of the United States Army are mostly graduates from the famous Military Academy at West Point, on the right bank of the beautiful Hudson River, occupying a strategical point of unusual natural beauty, and founded by General Washington. None but graduates of the highest qualifications, who have been efficient enough to pass the rigid and inexorable ordeal of the examination as prescribed by law, can enter the army as Second Lieutenants from that Academy. The requirements of admission to West Point in themselves are no trifle. During the four years of the most arduous studies and incessant military training, to which the cadets are subjected without distinction of any sort, the Government is generous enough to furnish them not only with free instruction, board, quarters, etc., but allows them a monthly salary of \$45 in addition, the pay of a Captain in other countries. The reason no imperfect officer can graduate from our national Military Academy is, that a cadet who has not attained a certain percentage at the semi-annual examinations, is discharged at once as unlikely to be of much further use in the Army. The military training imparted at West Point embraces the combined study of the four arms : infantry, cavalry, artillery and engineering, to which the successful officers are assigned according to their standard of merit. There is one great drawback, however, to the further and more enlarged practical instruction of the young officers, which is the limited number of men they are called to command, at posts, where there are seldom more than from fifty to a few hundred men together ; and thus the careful, costly and brilliant education they have received at the hands of a most munificent and generous Government cannot be brought to great avail, and larger operations in tactics with a full regiment of one arm at least, if not with brigade formations, are of rare occurrence, and a great pity it is.

After the four years of gratuitous and even compensated instruction at West Point, the officers are only required to serve four years in the Army before they can resign; this term is too short, and eight years of active service at least should be required of them before being allowed to withdraw. We note another adverse factor in the career of our officers: They marry too young; the cares of a rising family absorb too much of the time properly belonging to the welfare of the service and their continued advancement in the military science, besides in many cases crippling their resources. It seems that a system of perfect sureties on the part of the intended wife of an officer under the rank of Major, to provide an independent income for the lady, should be introduced, the same as in most European armies, without which the officer should not be permitted to incumber himself with a wife and family until at a later period, when his rank and emoluments allow him that luxury. The military man must expect and be prepared to make many sacrifices. We also note that our officers are overfond of donning civilian's dress. This is all right when on leave of absence or for any special purpose, but it should not be the rule; the uniform and sword should be worn on all occasions of military duty, even if in the midst of the "Philistines," or civilians. The American officer has no reason whatever to shirk his uniform in public; on the contrary, he ought to be quite as proud, and prouder, of his distinguishing handsome and honorable dress than any European officer. The latter can only appear in public in uniform, with sword or saber, unless on leave of absence for a longer period.

Promotion in time of peace is so very slow that the officers of the rank of Lieutenant and Captain find it very tedious to wait for the uncertain promotion for so many years, and cannot be blamed for becoming discouraged. Ten years of steady service as Lieutenant and ten years as Captain should be the utmost limit, and then they ought to be promoted. The same as in the Navy, all offices in the War Department of any importance should be filled by officers and non-commissioned officers taken from the army; this would greatly relieve the number of officers in the active service and give chances for

more rapid promotion. The officers thus detached for office duty in the Department might be required to meet at certain fixed periods for scientific discussion and further instruction in military matters by competent staff officers, as in Switzerland.

The discipline in the Army at the present time is, in our humble opinion, too mild to be fully efficient and to promote the best interests of the service. In the time of the stern but just Washington, it was no sinecure to be a soldier. Deserters were flogged and the letter D branded on one of their cheeks in the face, thus making them forever objects of public scorn. In the fifties, simple deserters from the Army were sentenced to ball and chain for a number of months and then reinstated. A repetition of the offense was punished by fifty lashes on the bare back and shaving of the head, beard and eyebrows, in which ridiculous predicament they were drummed out of the service at the point of the bayonet, the letter D having been previously branded on one side of their seat. These summary proceedings have been done away with; yet the crime of desertion should be most severely punished even in time of peace, by long forced labor in a military prison, and by death in war time. Desertion from the ranks is a very nasty and dishonorable crime. There may be mitigating circumstances for it in the armies of Europe, where everybody is conscripted into the service for a number of years, whether he is willing or not, treated with great severity under iron rules, miserably paid and roughly fed. But in this country the men present themselves voluntarily, obtain all the required information, are cautioned against the consequences of the engagement and not deceived in any manner by the recruiting officer and surgeon, who nowadays are very particular whom they receive as recruits. The men are treated with great fairness and justice; cases of harshness and arbitrary treatment by the officers and non-commissioned officers are very rare and easy of redress; clothing, food, quarters and pay are superior to those furnished in any other army; hence there is no excuse for desertion, which in the United States Army becomes a base, mean and ungrateful act.

The term of enlistment is five years, and this is too long; three years would be a fair and equitable period. A private soldier is formed and made efficient in six months; perfection is obtained in six months more. Re-enlistments of good men should be strongly encouraged by additional pay, a distinctive stripe on the sleeve and promotion to a higher grade, if they are worthy and competent. The present rule of limiting re-enlistments is injurious to the service.

Somewhere in 1855 Congress passed an act providing for the promotion of a limited number of non-commissioned officers to the rank of Second Lieutenant, thus opening a new field for ambitious and worthy young men. This law has been repeatedly modified. By the act of July 30th, 1892, specified in General Army Orders No. 79 of November 26th, 1892, this privilege is extended even to the private soldiers. The education of the officers graduated from West Point being so very complete and elaborate, it is but right and fair to these that the aspirants for commissions in the army should be possessed of many and corresponding qualifications. The conditions under which they can be promoted are numerous and strict, and render it no easy task to attain the anxiously desired aim. The limitation of re-enlistments to ten years, introduced by one of our late civilian Secretaries of War without due study, reflection and consultation with Army Officers, who are properly posted on such subjects, is injurious to the service and deprives it of many finely trained and experienced soldiers, who would gladly remain under our honored flag and are driven out under the present rule. It would be by far better if the Secretaries of War and the Navy were technical men, selected by the President from the retired list for military capacity and administrative talent; civilians only spoil the mess.

We will now, for the information of the kind lay-reader, give a table of the United States Army, which, according to the latest roster, is composed of the following forces, numbering in all about thirty-five thousand officers and enlisted men:

1 Battalion of Engineers, consisting of 5 companies of 145 men each;

5 Regiments of Artillery of 12 batteries of about 120 men each ;

10 Regiments of Cavalry of 12 troops of about 70 men each ;

25 Regiments of Infantry of 10 companies of about 70 men each.

Two of the Cavalry and two of the Infantry regiments are colored men under white officers.

This small army for such an immense country is commanded by three Major-Generals, one of whom is commanding the whole army, and six Brigadier-Generals; thus forming three divisions of two brigades each, although the organization prescribes that two regiments of infantry or of cavalry form a brigade. These formations, however, in our army are merely nominal, the whole force being distributed and scattered promiscuously all over the vast region, in what appears to be an inextricable confusion, but which it is not by any means.

The *Administrative Department* of this army consists of the following Staff organizations, the whole body being, as a matter of course, under the superior direction of the Secretary of War, and consequently that of the President of the United States, in the first instance :

Adjutant-General's Department, comprising 1 Brigadier-General, 2 Colonels, 4 Lieutenant-Colonels and 13 Majors, all of Cavalry rank.

Corps of Inspectors-General : 1 Colonel, 1 Lieutenant-Colonel and 2 Majors, all of Cavalry rank.

Quartermaster's Department : 1 Brigadier-General, 6 Colonels, 10 Lieutenant-Colonels, 12 Majors, 30 Captains and 16 military storekeepers, with the rank of Captain.

Subsistence Department : 1 Brigadier-General, 2 Colonels, 2 Lieutenant-Colonels, 8 Majors and 16 Captains.

Corps of Engineers : 1 Brigadier-General, 6 Colonels, 12 Lieutenant-Colonels, 24 Majors, 30 Captains, 26 First Lieutenants and 10 Second Lieutenants.

Corps of Ordnance : 1 Brigadier-General, 3 Colonels, 4 Lieutenant-Colonels, 10 Majors, 20 Captains, 16 First Lieutenants, 10 Second Lieutenants and 13 ordnance storekeepers, 1 with the rank of Major and 12 with that of Captain.

Medical Corps: 1 Surgeon-General with the rank of a General of Brigade, 1 Assistant Surgeon-General with the rank of Colonel of Cavalry, 1 Chief Purveyor and 4 Assistant Purveyors with the rank of Lieutenant-Colonel, 60 Surgeons with the rank of Major, 150 Assistant Surgeons with the ranks of Captain and First Lieutenant, and 5 medical storekeepers with the rank of Captain of Cavalry.

Pay Department: 1 Paymaster-General with the rank of Colonel of Cavalry, 2 Assistant Paymasters-General with the rank of Colonel, 2 Deputy Paymasters-General with the rank of Lieutenant-Colonel, and 50 Paymasters with the rank of Majors of Cavalry.

Signal Service: Chief Signal Officer with the rank of Colonel of Cavalry, and the requisite number of assistants.

Bureau of Military Justice: This consists of 1 Judge-Advocate-General with the rank of Brigadier-General, 1 Assistant Judge-Advocate-General with the rank of Colonel of Cavalry, and 8 Judge-Advocates with the rank of Major.

The chiefs of all the preceding several departments and corps exercise their power subject to the supervision and direction of the Secretary of War.

All these departments are admirably organized and perform their functions in an able and satisfactory manner, greatly aided, as in the civil service of the Government, by the liberal and exhaustive system of printed forms and blank-books, so happily prevailing in official circles, and which remains unsurpassed as yet in any country.

Each Chief of Department is supposed to be fully competent to fill his responsible office, whether his knowledge has been acquired through active service in the line, or through simple routine and gradual promotion in the department itself. They all concentrate in the War Department, of whom the Secretary is the acknowledged head; but he is generally a civilian, knowing but little about military affairs, and thus necessarily depending on his technical advisers and subordinates. The real, intelligent and unerring authority is wanting; such a one as is not only well acquainted with one particular branch of the service, but with all of them at the same time, and with every detail, from the command of an army corps to selecting

a barrel of flour for the Commissary Department. The United States Army has no *General Staff*, in the true sense of the word, —a consolidated corps of officers, of all arms, whose duty it is to watch over the whole Army, to examine all inventions and improvements at home and abroad, the armament, accouterment, clothing, provisions and quarters of the troops, tactics, strategical observations, the location of posts, barracks, forts and other fortifications; and, in short, all and every matter touching the Army, directly and indirectly. The formation of such a General Staff at the seat of the Government we consider of great importance. It would be of very easy accomplishment, for the powerful reasons that the great majority of our army officers are splendidly qualified for staff positions, on account of their manifold knowledge in all the four different arms, and the particular scientific training they receive at the Military Academy; and, secondly, because several component parts of such a General Staff are already in existence, under different names, and could be speedily concentrated and reorganized without any difficulty and particular expense. The General Staff may not issue direct orders to the Army, but would be a most important factor of the whole military system and an auxiliary and adviser to a civilian Secretary of War.

The Adjutant-General's office, like all the other chief departments of the Service, is located at Washington. It has charge of the organization and management of armies. Through it all orders, general and special, affecting our military establishment, are issued; it keeps and preserves the records and archives of the whole Army; it has charge of the recruiting and mustering services, and keeps all the great variety of rolls and returns of the troops; discharges; final statements; pay accounts; consolidated reports for corps, divisions, brigades and regiments. Statements of service are furnished by the Adjutant-General's office to the Auditors of the Treasury, Commissioner of Pensions, Paymaster-General, Commissary-General, Quartermaster-General and other chief administrative officers, to enable them to properly prepare and provide the necessary funds and material, as well as to keep

that strict minute and scrupulous control over accounts of all kinds, for which our Government is so justly celebrated. Frauds and collusion are very rare in the Army, the officers being gentlemen of a high sense of honor; still, when such offences do occur, the culprit should be more severely punished than by mere dismissal from the Army and perhaps a short term of confinement, as is generally the case. There is a ceremony in use in the European armies, called military degradation, somewhat in the style of our former "drumming out of the service;" the delinquent in full uniform, be he officer or non-commissioned officer, is placed in the center of a square formed by the assembled troops, and a sergeant breaks his sword, throwing the pieces before him, and tears off his epaulettes, buttons and insignia, an act that must strike terror into the hearts of the strongest, and which must be worse than a hundred deaths. This awful punishment is, however, only inflicted for crimes, such as desertion, embezzlement, theft, acts of aggression toward a superior in rank, treason, etc.

The Statute limits our army to 30,000 enlisted men, but at present there are only about 25,000 men in the Service, including Indian scouts and the hospital service. This is owing to the proverbial stinginess of Congress, not less than to its lack of discrimination, that body having limited the appropriations for the support of the Army, whilst the Nation's money is wasted for less important branches.

There are thirty post-chaplains in the Army, with the rank of Captain, presumably of but one religious denomination, but they render useful services as school-teachers to the children of the garrisons.

The uniform and clothing of our troops are of good material, carefully examined and selected, the collar of coats, blouses and pantaloons being handsome and appropriate. The blouses of the officers and men might be a few inches longer, and the plumes, or panaches, on the helmets dispensed with, or made of some better material. The helmets themselves should be of a lighter pattern, and the famous fatigue-cap of a different shape, with a higher crown; the present cap sits flat on the

head, without any ventilation, is very uncomfortable in warm weather and liable to create premature baldness. Whilst the full-dress uniform has many characteristics to distinguish the different arms of the Service at first glance, it is not so with the fatigue-dress. Infantry, cavalry and artillery in fatigue-dress can only be distinguished from each other by the brass ornament on their caps; this is not sufficient; there should be a colored stripe of some sort on the shoulders or the collar, and a narrow cord on the seam of the pantaloons, to indicate the arm of the private as well as the officers and non-commissioned officers. By some strange caprice the facings of the infantry are white again, as they were forty years ago; the subsequent light blue was much better and less liable to get soiled. The useless aiguillettes might be done away with and only worn by field and staff officers; they are an incumbrance and a useless expense.

The accouterments, saddles, harness and other trappings of the cavalry and artillery are very neat and appropriate; but it is very singular that only the officers have saddle-cloths to cover the ugly-looking blanket under the saddle; some sort of a woollen or linen cloth should be used by the troopers also. The sight of the bare, folded blanket projecting from under the saddle does certainly detract from their otherwise very creditable appearance. The soft, gray felt hat worn by the cavalry on the road and in camp is very appropriate and serviceable, although it gives the men a semi-citizen appearance. Our honored military readers will please overlook these few and innocent comments on the uniform of the Army; but, seeing very little else to find fault with in our splendid little military organization, we could not resist the temptation to criticise something.

Since the Government of the United States of North America has found it absolutely necessary to maintain a standing army from the earliest time of its autonomy, and since it forms an important part,—nay, perhaps the most important part—of our public organization, everything points out the necessity of keeping that standing, regular army in the highest degree of perfection and efficiency. Our experience in this respect at the

very commencement of the great Civil War, taught us a severe lesson. Had there been a sufficient force of regular troops at the disposal of the War Department when active hostilities broke out, the defeat of Bull Run and Manassas Gap would have been avoided. We doubt very much whether the war would have been continued by the South if these battles had been such signal victories for the Northern troops as they were for the Southern. At all events, the moral effect would have been immense, a settlement of the controversy rendered more easy and probable from the commencement, instead of the increased animosity, that soon became a deadly hatred and caused the whole country irreparable losses. From the earliest periods of history we have seen what a small body of well-trained, disciplined troops can accomplish against even immense hordes of ferocious, unorganized barbarians, be their valor ever so great. The victories of Alexander in Asia, of Cæsar everywhere, of the Spaniards in America, the English in the East Indies, of the allied forces of England and France, less than ten thousand men in all, defeating and routing a Chinese army of three hundred thousand men in the very heart of their own country, and many other instances of the superiority of discipline and training. It was only after the Northern troops had become properly organized and trained, as well as it could be done under such trying circumstances, thanks only to the immense resources at the disposal of the Federal Government, and to the greater independence and authority given to the Northern commanders, that they began to accomplish more satisfactory results and succeeded in crushing the Confederacy.

The great Republic of the United States may be involved in a foreign war at any time, notwithstanding our sincere desire for peace and our willingness to submit eventual difficulties to friendly arbitration. It is true, we are rich and full of resources; we may form useful alliances; in case of danger our people may rise "*en masse*" to repel an invader and even be willing to go outside of the national limits to attack the enemy in his own country; still the main reliance would be on the *regular army and its efficient officers*. The veterans of the late war

will soon have disappeared from the living ; thirty years is even less than a grain of sand in the immense and infinite course of time, which has no beginning and no end. We do not wish to be pessimistic, but the human race will ever be ready to settle private and public controversies by force of arms, from the fist and club to the revolver and rifled cannon. After having made such astounding progress in the engines of destruction and placed so many millions under arms, the rulers of men are not going to consign this colossal war material to the arsenals to rust, but will employ and test it at some not very remote period.

Unfortunately war on this earth appears to be a necessity ; it is inexplicable, but it is nevertheless true. War commenced on the fatal day on which Cain slew his brother Abel because he was jealous of his beauty and virtues. If we have to believe in the traditions of the Holy Scripture, there were not over half a dozen human beings living at the time of this first crime on record, compared to which the eating of a succulent apple was an insignificant incident ; and yet these few creatures had to fight already ! It is the nature of the human brute. Do we not hear continually that the son has assassinated the father, that an infamous wretch has set fire to the house of his neighbor for the sake of spite or revenge ? This is war between individuals instead of war amongst the nations ; but war it is all the same. Were it not for the fear of justice, for the fear of punishment and imprisonment, attack and defense would filter into the daily habits of the people, as they now exist between the nations and powers, who watch and espy each other, ever ready to commence the fray. He who is fortunate enough to enter the twentieth century will witness, probably at its very commencement, interior disturbances and exterior complications and mighty struggles more fierce and destructive of life and property than were the wars of the beginning of the century about to close. A hundred years of progress and alleged civilization have not yet given lasting peace to humanity ; on the contrary, the general animosity and ill will seem to have increased with the too rapid filling up of the earth of God.

The principle of a standing army being fully established by the very fact that we have kept one ever since the formation of this great Republic, the question arises, what would be the proper strength of our regular Army? It evidently ought to correspond in number with the increase of the population. If an army of twenty-five thousand men was not deemed too many forty years ago, when our population was small, when the whole country was at peace, when there was decidedly more security for life and property than at the present period, when the influence of the courts was paramount and their mandates were implicitly obeyed, when the Federal Government was regarded in a higher light, it would be absurd to maintain that the same number of forces is adequate to the present situation of the country. The population has been more than doubled; the vacant tracts filled by settlers; commerce and intercourse with foreign countries increased tenfold; local interests have come into serious conflict with those of other States; almost irreconcilable differences of opinion exist in economical, political and religious matters among a great many of our people; we no longer enjoy the general and individual prosperity of years ago; the distinction and difference of the classes have become more pronounced; for one man of wealth we count a thousand paupers, or at least five hundred struggling for a miserable existence; and last but not least patriotism and national integrity are at a low ebb at present. This country has arrived at a period of its history and abnormal development when a strong and powerful central Government is more necessary for its preservation than ever. The moral power of a Government consists in making wise laws and in strictly maintaining them; its physical strength lies in the ability to enforce the laws, and that can only be done by the aid of the armed public force. In spite of the progress of civilization and of general culture, the masses of the people are yet hard to control and can only be subjected through the fear of the law and retribution. Were it not for the fear of other punishment than that of personal and individual revenge or castigation, no life or property would be secure, and chaos, murder, rapine and arson reign supreme. The bank cashier

would pack up the yellow single and double eagles, the legal tender notes and bonds, and easily find a place of refuge; the proletarian would pay his rent by splitting the head of his importunate landlord, and so forth. Moreover, we find ourselves no longer in that idyllic state of security with regard to foreign relations which we enjoyed for so many years, before there were any sealing questions, Samoan imbroglios, controversies with South American States, brought on by our improper and stupid interference with matters that did not concern us, and other complications liable at any time and quite unexpectedly to cause an outbreak of hostilities, when a standing army is of supreme utility. If not large enough in itself to meet all requirements, it forms at least a precious and powerful nucleus for the formation of additional forces, either by increasing the ranks already existing, or by creating new regiments under experienced officers of the line. Just as the professors and teachers form the scholars, so do the officers and non-commissioned officers form the soldiers.

Considering the numerous duties to perform even in time of peace, the many contingencies apt to arise at any time at home and abroad, and the enormous growth of our cosmopolitan population, a standing army of 50,000 men would not be at all in disproportion with the number of inhabitants. The expense of this increased force would not be doubled, but only absorb about one-half more than the appropriations at present required for the Army, as the Commanding and Administrative Departments would not necessarily have to be augmented. Either this increase of the Army ought to be effected without any delay, or the system in force in the Swiss Republic introduced in the United States of North America, namely, that of universal military service during a short preparatory term and yearly practice of a few weeks, subject to the summons of the Government at any time for duty at home or abroad, for a certain number of years, comprising those of youth and manly strength. We have already explained the Swiss system quite fully at the commencement of this chapter; further details can

be seen from the corresponding articles in the appended magnificent Constitution of the Swiss Confederation. The United States, however, might improve even on that system by keeping not only a standing army of fifty thousand men, with ranks complete at all times, but by making one hundred thousand young men, of from twenty-one to twenty-five years of age, in the different States, according to the census, subject to military training in the Swiss style, and to being called on at any time when required by the Government.

The militia forces of the different States composing the Union, according to the latest returns received at the office of the Adjutant-General, at Washington, D. C., in conformity with the law on that subject, comprise, in all, but 112,496 officers, non-commissioned officers and privates. If this force were all organized, drilled, armed and equipped in a uniform and entirely efficient manner all over the country, it might answer the principal purposes; but such is far from being the case, as everybody knows. In order to become more efficient, the lawful contingents of State militia should be commanded and instructed by officers of the regular Army, from the rank of Captain upward. Our militia is quite creditable, and it looks pretty well on parades and in the armories; but in cases of riots, rebellion, strikes, etc., it can be but little relied on, because the men cannot afford to leave their occupations, families and pursuit of bread for more than a few days. Moreover, they cannot be blamed for declining to take part in quarrels between bosses and employees, mine-owners and mine-diggers, lords of factories and slaves of labor. To expect the militia to fire upon their brethren and fellow-citizens, who are often oppressed and have the moral right on their side, is simply presumptuous nonsense. It is quite different with the regular Army, whose members do not come from one particular section of the country, but from every State, and many from foreign countries. It is their duty to obey the orders of their officers without any grumbling or criticism of any sort; they are enlisted and liberally paid for their services, and they know that their orders emanate from the highest authority of the land, not from some local sheriff, mayor or governor, who often has not even his own Supreme Court to back him. The

United States Army has proved, on countless occasions, its valor and reliability under all circumstances and at all times; this is so well known that the mere presence of a hundred or so of United States troops is sufficient to reduce and intimidate rioters and ugly mobs, when thousands of militiamen have been unable to effect anything. The people know mighty well that one shot fired on the regular force may bring awful retribution, and that, even should they be able on some rare occasion to inflict a check on the Government troops, the whole strength of the nation would be behind to crush them.

Supposing our Army were raised to the normal strength of fifty thousand men, officers of course included, this number would not be any too large for the objects and purposes of a regular army in such an immense country, considering the enormous amount of public property to protect, keep and take care of; the occupation of arsenals, forts and batteries; the patrolling and more efficacious protection of national parks, forests and public lands; the guarding of the national Capital and the protection of Congress from the invasion of the modern Goths, Huns and Vandals, who at present threaten to invade the sacred District of Columbia; it is true without arms, but who will no doubt return at a later period supplied with wherewith to enforce their demands, unless they know beforehand that the Capital is well protected and defended against all such foolish and lawless enterprises. These nomadically inclined, misguided people, forming associations under the pompous titles of "Industrial Army," "Labor Army," "Commonwealth Army" and others, create a great deal of trouble all over the country by threatening the general tranquillity and laying the villages, towns and cities under direct contribution, which is none the less forced because the sympathies of the lower classes are frequently in favor of the wandering tribes. The best and only way to prevent these scandalous movements and encroachments on the rights of local inhabitants and corporations of transportation, is to stifle them at the commencement, and not allow the formation of any such wandering bodies. Liberty is fast becoming license. The dangers for the near future can be easily foreseen, and an increase of the regular Army, which would

at the same time absorb twenty-five thousand more or less idle men, is the proper remedy, were it only by way of precaution. "*Si vis pacem, para bellum*," the Romans said : " If you want peace, prepare for war."

The Indian troubles having gradually subsided, chiefly because the doubtful civilian element in the different agencies has been supplanted by the honorable officers of the Army, and future serious outbreaks being hardly to fear, the Government has been enabled to abandon some of the two hundred and odd military posts throughout the country and to adopt a policy of concentration of the troops in fewer and larger establishments. This is a step in the right direction. The companies of the regiments should be united in one place, and if detached, within easy communication with headquarters and not hundreds of miles away, as in many cases at present. Larger military establishments might be located in the center of the country, on the plains, within easy reach of a city, where there is a space of ground sufficiently vast to gather large bodies of troops once or twice a year for field maneuvers by brigade and division formations, in which our older general officers must have become somewhat deficient since the last war, and the younger ones have never had a chance to witness or participate in. Such combined maneuvers take place at least once a year in all regular armies and generally last from one to two weeks, the instruction, practice and field training thus received by the officers and troops of the different arms being extremely valuable. It will be a very difficult task, however, to obtain the consent of our legislatures to such improvements and the necessary appropriations to carry them out. Partisan politics would not be promoted thereby and no new votes secured, because the Army is presumed to be over and above politics, and it is to be hoped will ever remain so.

Compared with the relative strength of a regiment of cavalry and of artillery in our Army, the infantry proportion of seventy men in each company is altogether too small ; ten companies of one hundred men each would make up a fair regiment

of infantry, counting one thousand men. As the Government can now obtain all the men it wants, and a fine lot of men at that, the ranks, as at present authorized, should at least be kept full. Three commissioned officers for fifty men and sometimes less, are too many and do not look well.

There ought to be at least five thousand men of all arms stationed on and near the Mexican frontier to prevent the periodical raids, smuggling and other complications on our southern border, and the very least fifteen thousand men on the immense northern frontier, stretching likewise from ocean to ocean, for similar revenue purposes and in case of unexpected trouble with our otherwise pacific neighbors in the north.

The Military authorities of the United States are subordinate to the Civil authority ; thus the President is Commander-in-Chief of the Army and Navy, and the Governors of the different States of their respective militia ; these functionaries are generally civilians, or if they have held military rank, it ceases with their election to office. Now the superiority of civil jurisdiction in a republic, especially in time of peace, is an excellent principle ; but this superiority should not extend to every miserable court in the country ; members of the United States Army ought to be under the exclusive jurisdiction of the *Federal Courts*, or be placed on an equal footing with these, which means that all offenses and crimes committed within the army sphere should be tried by military courts having also jurisdiction over capital punishment. When an officer, non-commissioned officer, or soldier is arrested *in flagrante delicto* by the civil authority, he should be immediately handed over to the military commander, who may, in cases of civil crimes of a heinous nature, remand him to a Federal Court for trial. As the law is at present, an officer with his command may have to march through a deserted country and be compelled to seize a bushel of potatoes or a bundle of hay ; a deputy sheriff or constable can serve a warrant on him by order of some fool of a country judge and seriously embarrass his military object. This is decidedly wrong and contrary to

common sense. The system at present prevailing, for instance, of trying an officer who has shot his superior in actual service, by a civil court, is as absurd as it is contrary to the prestige and dignity of the Army. A military court of justice is probably the fairest that can be found ; it consists of from five to nine members and is therefore equivalent to a trial by jury, with the difference that a courtmartial is seldom known to pronounce an unjust sentence, though its judgment is sometimes tempered by mercy. Can we say as much of our civil courts? Corruption and bribery of judges, juries, witnesses and attorneys in civil courts are matters of daily occurrence, as everybody knows who is not entirely blind, or pretends to be so. In time of war or rebellion, the writ of habeas corpus, which is the personal guarantee of all citizens, can be suspended by the President and Congress, and martial law proclaimed, by which acts the military authorities take the upper hand. In peace time the regular Army should be placed on an equal footing with the civil authorities and have its own independent jurisdiction over military and criminal offenses committed by officers and soldiers of all grades, unless a court-martial declares itself incompetent and assigns the case to one of the Federal Courts ; but in no case should a member of the regular Army be arrested by the civil authority, unless it be for actual crime committed whilst absent from his post and for desertion, and even then the prisoner should be handed over to the nearest military command as soon as possible. On the other hand no civil counsel should be permitted to be employed by any military defendant in a courtmartial ; the military court of honorable and impartial officers is fully sufficient for the purposes of military justice ; lawyers only serve to complicate, confuse and mix up matters at a trial and have no business at any military court. The accused may select his own defender from the officers, if not satisfied with the Judge-Advocate. In the principal European and some Spanish-American countries each regiment has an officer attached to it, with the title of *Auditor*, whose duties are to supervise the accounts of the regiment and attend to all matters of military jurisprudence, he being not only an expert accountant, thoroughly acquainted with the military account

system and the quality and quantity of every item to which the regiment is entitled, but also fully competent in the interpretation of both military and civil law. The Auditor therefore permanently exercises the functions of the temporary Judge-Advocate of our Army at courtsmartial; he is subordinate to brigade and division Auditors and these to the Auditor-General, corresponding to the Judge-Advocate-General of the United States Army, in military jurisprudence at least.

For fear of being accused of too great partiality for the Army, for which, however, he acknowledges to have a particular predilection, the writer will not at the present time dilate any further on this most interesting subject, but will limit himself to again call the attention of the reader to the following facts: That the Army, under the brilliant and patriotic leadership of the immortal Washington, ably assisted by a corps of talented and brave Generals and other officers, contributed more than any other factor to the success of the war of Independence. On one side the statesmen of the period, men of lofty views and indomitable will-power, elaborated the whole plan, drew up the famous Declaration of Independence and supplied the sinews of war, meager as they were but too often. On the other hand the soldiers shed their blood, sacrificed their lives and endured the most cruel hardships during the long and difficult campaigns, from which they were to emerge finally completely successful, covered with the laurels of everlasting military glory. To the Army therefore is this great Republic chiefly indebted for its primary existence and subsequent immense development. It was the Army that preserved the young nation in 1812 and drove out the British invaders, who would fain have reconquered a portion of their lost provinces in the north; the regular Army again, as the nucleus, aided by a corps of valiant volunteers, subject to its superior direction, gained beautiful victories in beautiful and unfairly treated Mexico, and added not only new leaves to the glory of American arms, but immense tracts of territory, worth hundreds of millions of dollars, for a mere pittance paid by our Government, a sum so insignificant in comparison with the

intrinsic value of the provinces thus acquired and which converted our national domain into an oblong square, that the American nation should have subsequently entertained conscientious scruples and paid the unfortunate sister Republic at least thirty millions more, in compensation for this immense loss of territory, that had belonged to her for 350 years, especially if we will strike our breast and admit honestly, that the quarrel with Mexico was principally of our own seeking. And finally, had it not been for the fundamental kernel of the regular Army, left to the Government after a portion of the officers had taken up the Southern cause, the rebellion never would have been overcome and the great Republic split in two or more independent parts. It is true that the volunteers, as they were called, contributed mainly to the great and blessed results of that cruel war; but what is the whole Army, anyhow, but a corps of volunteers, who present themselves *voluntarily, of their own free will and accord*, to serve the country, receiving proper compensation?

These are irrefutable arguments! It is of the most vital importance for the maintenance, welfare and security of this country that it have a standing army, and that this standing army be at all times sufficiently strong in numbers, fully equipped and armed with the most improved "tools" of warfare; that laymen and civilians in Congress not thoroughly posted and competent in military matters keep their hands off, and that our Army be not interfered with, except for the sole purpose of increasing *its numerical strength, its efficiency and general welfare!* Not for a vain purpose has the great Washington, *who knew all about it*, founded the splendid Military Academy of West Point and made it the special object of his paternal solicitude. That institution is and should remain the beacon-light of this great Republic!

CONCLUSION.

WHILST writing these lines, the following news has come to our knowledge from that model country—dear old Switzerland. We give this news, because it has reference to the information contained in the third chapter of this work, on the greatest danger threatening society—*anarchism and explosives*. As a matter of course, such items of news are not reported to the public by our daily papers, since they are not of a sensational character, like elopements, divorce suits, breach of promise proceedings, prize-fights and other stuff of that kind, dished up for the delectation of one reader in a hundred, and against the tastes and wishes of the other ninety-nine subscribers.

Shortly after the reopening of the Swiss Federal Assembly (equivalent to our Congress) in Bern, an act was presented and adopted, entitled "*Federal law concerning crimes against public security*," aimed at that cancerous outgrowth of modern society—the *anarchists*. This law had been very carefully elaborated by the Federal Council and brought before the Council of States (similar to our Senate, but more honest, competent, hard-working and energetic), composed of forty-four members—two for each Canton. The necessity and advantages of the eight clauses composing the bill were briefly explained by the Secretary of the Department of Justice and immediately acted upon. They are in brief: "That anyone who makes use of explosive materials with any criminal intentions, shall be punished by not less than ten years of solitary confinement; that whosoever fabricates, or gives instruction how to manufacture them, by not less than five years of solitary confinement; also, those who retain, conceal, or transport explosive substances for any other purpose than that of preventing the transgression; and not less than six months of solitary confinement for all those who incite, by means of the press or otherwise, any other person to commit crimes against persons or property by the use of such explosive substances."

The Council of States adopted the bill unanimously without any debate ; the National Council likewise without any alteration. For some time past the Swiss Federal Council had a close eye on the doings of the anarchists, but did not propose any special legislation, presuming the existing laws sufficient, and that the acts of these dangerous wretches would find no imitators ; the insolent and overt acts of the anarchists of late, however, caused the Federal Council to modify its views and to propose the above stringent measures, which were passed by the chambers with such exemplary promptness, in most striking contrast with the sinuous, complicated, iniquitous and procrastinating ways of our brilliant legislative lights at Washington, D. C., who will sit over the simplest bill for months and then accomplish but little.

To further illustrate the expeditious manner in which the business of the Swiss Government is transacted, we now cite a dispatch received June 9th from Bern, concerning a popular vote in that model Republic :

“ *A referendum*, or popular vote, took place last Sunday throughout the Swiss Republic on a proposition to add to the Swiss Constitution an article declaring ‘ *that every citizen had a right to be given work.*’ This proposition emanated from the socialists and extreme democrats, who pretend that the Government is bound to procure work for every man capable of working, who has no employment. The petition demanding of the Council of States, that this proposition be submitted to a popular vote, contained more than fifty thousand signatures, more than the number required by the Constitution, and the *referendum* could not be refused. The complete results of this popular vote became known yesterday (June 8th) and were published to-day. The proposition of the socialists and extreme democrats was defeated by a vote of three hundred thousand against eighty-five thousand.”

Each of the nine chapters of this little volume contains material enough to have filled a separate book ; but it was not the intention of the writer to more than superficially touch on each of the most important subjects comprised in said

chapters. We have, nevertheless, endeavored to pass over no topic of any importance relating to our defective Statutes and the evils and abuses at present prevailing in this great Republic. To literary merit we do not and cannot lay any claim; but we pretend to have developed the complaints and maxims contained in "Reform" with a lofty impartiality, honesty of purpose and from pure and patriotic motives, which will, we hope and trust, be admitted by our kind readers of all political shades and creeds. In this connection it may not be improper to recapitulate the principal propositions contained in our work; they are as follows:

Foundation of a "*National Reform Party*;"

The further limitation and regulation of immigration;

The leasing, and not selling, of public lands;

Increase in extent and number of national parks and the ample guarding of the same;

Preservation of all forests, game and fish;

Simplicity and uniformity in style of living and dress;

Vigorous suppression of anarchism;

Limit to excessive wealth by progressive taxation on incomes and estates;

Stability in the tenure of public offices during good behaviour;

Cessation of the perpetual conflict of authority;

Stricter and more general observance of national holidays;

Uniformity of laws throughout the States;

Restriction and check of lawyers in court and outside;

Appointment of judicial officers for life;

Solemnity and respect in the courts of law by *all*;

Abolition of bail in criminal cases, misdemeanor excepted;

Reformation and simplification of the jury system;

Speedy trial of civil and criminal cases and immediate execution of sentences and findings;

Prompt execution of death sentences;

Simplification of codes and procedures;

Introduction of the metric system;

Cessation of the pardoning power of Governors;

Establishment of penal colonies on sea islands;

Expulsion of obnoxious foreigners from the territory of the United States ;

Election of none but pure, good and hard-working men to Legislatures and Congress ;

Abolition of State Senates ;

Abolition of veto power by Governors and President ;

Purchase and control by the Government of railroads and telegraphs ;

Better treatment and safety of travelers ;

Equal and stricter marriage and divorce laws in all States ;

Establishment of courts of civil register for marriage, divorce, births and deaths, for all inhabitants alike ;

Suppression of public and private detective agencies ;

Limitation of size of foreign flags in public processions ;

Reduction to the thirteen original stars in the national banner ;

No further admission of Territories of less than 100,000 inhabitants ;

Reduction of amount of war pensions ;

Provision for the care of the aged and crippled poor ;

Strict execution on the part of corporations of their charters and franchises ;

Suppression of prize-fighting ;

Manufacture and sale of arms by the Government ;

Reform of naturalization laws ;

Regulation of the liquor traffic.

Press reform : suppression of scandalous papers and use of larger type ;

Free education to be limited to the first eight grades ;

Prohibition of religious demonstrations of all kinds in public and preaching outside of the houses of worship ;

Teachers to be appointed for life ;

Prohibition of smoking and drinking in public by children under eighteen years ;

Absolute non-interference in schools and politics by any religious denomination ;

Closing of all business on the Sabbath, excepting places of refreshment and reasonable amusement ;

General introduction of cremation of the dead ;

Suppression of associations endangering the public peace and harmony ;

Suppression of all national banks ;

Full guarantees to be exacted from commercial and savings banks ;

Paper money of not less than ten dollars each note, to be issued exclusively by the Federal Government ;

Coining of all silver in the national Treasury ;

Fortifying and garrisoning the District of Columbia ;

Abolition of the veto power of the Senate ;

Abolition of the power to originate bills in the Senate ;

Protection of the President and public buildings ;

Election of the President by Congress ;

President not to succeed himself ;

President to become a member of the Senate upon retiring ;

Government defaulters to be more severely dealt with ;

One Senator only from each State to be sent to Congress, and two substitutes elected at the same time to replace him ;

Obligation for both Houses of Congress to effect speedy, good, and honest legislation ;

Stringent measures against lazy and absent members ;

Publication by the Federal Government of an "*Official Gazette*," or "*Monitor*," at Washington, D. C. ;

Radical Reform in the Consular and Diplomatic service ;

Increase of the Supreme Court to thirteen members and obligation to render immediate decisions in all cases ;

Increase of the Army to fifty thousand men ;

Proper and more efficient organization of the State militia ;

Independent jurisdiction for the military authorities.

The foregoing programme is a vast one, but its execution by no means difficult, provided our legislators be animated by *good will, honesty of purpose and genuine patriotism*, abstracting absolutely and entirely from party politics selfish considerations and local prejudices. We again say and maintain, that delegates to State and Federal legislative bodies should be called to strict account by their electors if they fail to perform their sacred duties in compliance with the principles adopted

in the platform and with the pompous pledges and promises given by them. Let none of these return to their homes after betraying the trust placed in them by a credulous but well-meaning people, for fear of the popular indignation and personal punishment.

Although we do not pretend to be entitled to the Roman exclamation of "*Finis coronat opus, quamque operatorem,*" we sincerely hope and trust that our exhortation to the people of the United States of North America will at least bear some fruit in the near future. In regard to the great multitude of questions herein treated in a summary and fearless manner, we may be permitted to quote the French, "*A bon entendeur, Salut!*" (All hail to those who comprehend!), and will close our labors with the renewed cry of **CAVEAT PATRIA!!!**



APPENDIX.

CONSTITUTION OF THE UNITED STATES.

PREAMBLE.

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I. LEGISLATIVE DEPARTMENT.

SECTION I. *Congress in General.*

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION II. *House of Representatives.*

Clause 1. The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

Clause 2. No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Clause 3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one

for every thirty thousand, but each State shall have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

Clause 4. When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

Clause 5. The House of Representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

SECTION III. *Senate.*

Clause 1. The Senate of the United States shall be composed of two senators from each State, chosen by the Legislature thereof for six years, and each senator shall have one vote.

Clause 2. Immediately after they shall be assembled in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

Clause 3. No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

Clause 4. The Vice-President of the United States shall be President of the Senate, but shall have no vote unless they be equally divided.

Clause 5. The Senate shall choose their other officers and also a president pro tempore, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

Clause 6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the chief-justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

Clause 7. Judgment in case of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party

convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment according to law.

SECTION IV. *Both Houses.*

Clause 1. The times, places and manner of holding elections for senators and representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the place of choosing senators.

Clause 2. The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION V. *The Houses Separately.*

Clause 1. Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each house may provide.

Clause 2. Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Clause 3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

Clause 4. Neither house during the session of Congress shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SECTION VI. *Privileges and Disabilities of Members.*

Clause 1. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to or returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

Clause 2. No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority

of the United States, which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

SECTION VII. *Mode of Passing Laws.*

Clause 1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments, as on other bills.

Clause 2. Every bill which shall have passed the House of Representatives and the Senate shall, before it becomes a law, be presented to the President of the United States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Clause 3. Every order, resolution or vote, to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment), shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION VIII. *Powers Granted to Congress.*

The Congress shall have power:

Clause 1. To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

Clause 2. To borrow money on the credit of the United States;

Clause 3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

Clause 4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies, throughout the United States ;

Clause 5. To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures ;

Clause 6. To provide for the punishment of counterfeiting the securities and current coin of the United States ;

Clause 7. To establish postoffices and post-roads ;

Clause 8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries ;

Clause 9. To constitute tribunals inferior to the Supreme Court ;

Clause 10. To define and punish felonies committed on the high seas, and offenses against the law of nations ;

Clause 11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water ;

Clause 12. To raise and support armies ; but no appropriation of money to that use shall be for a longer term than two years ;

Clause 13. To provide and maintain a navy ;

Clause 14. To make rules for the government and regulation of the land and naval forces ;

Clause 15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions ;

Clause 16. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress ;

Clause 17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of government of the United States, and to exercise like authority over all places purchased, by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards and other needful buildings ; and

Clause 18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

SECTION IX. *Powers Denied to the United States.*

Clause 1. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and

eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

Clause 2. The privilege of the writ of *habeas corpus* shall not be suspended unless when, in case of rebellion or invasion, the public safety may require it.

Clause 3. No bill of attainder, or ex-post-facto law, shall be passed.

Clause 4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

Clause 5. No tax or duty shall be laid on articles exported from any State.

Clause 6. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear or pay duties in another.

Clause 7. No money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

Clause 8. No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office or title of any kind whatever, from any king, prince or foreign state.

SECTION X. *Powers Denied to the States.*

Clause 1. No State shall enter into any treaty, alliance or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex-post-facto law, or law impairing the obligation of contracts; or grant any title of nobility.

Clause 2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except, what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any State on imports or exports shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

Clause 3. No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State or with a foreign power, or engage in war unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II. EXECUTIVE DEPARTMENT.

SECTION I. *President and Vice-President.*

Clause 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected as follows :

Clause 2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the State may be entitled in the Congress ; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

[*Clause 3.* The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each ; which list they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed ; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President ; and if no person have a majority, then, from the five highest on the list, the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote ; a quorum for this purpose shall consist of a majority of members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice-President.*]

Clause 4. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same throughout the United States.

Clause 5. No person except a natural-born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President ; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

* Altered by the 12th Amendment.

Clause 6. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President; and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice-President, declaring what officer shall then act as President; and such officer shall act accordingly, until the disability be removed or a President shall be elected.

Clause 7. The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Clause 8. Before he enter on the execution of his office, he shall take the following oath or affirmation :

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect and defend the Constitution of the United States."

SECTION II. *Powers of the President.*

Clause 1. The President shall be commander-in-chief of the army and navy of the United States and of the militia of the several States, when called into the actual service of the United States; he may require the opinion in writing of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

Clause 2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

Clause 3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions, which shall expire at the end of their next session.

SECTION III. *Duties of the President.*

He shall, from time to time, give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary

occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECTION IV. *Impeachment of the President.*

The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes or misdemeanors.

ARTICLE III. JUDICIAL DEPARTMENT.

SECTION I. *United States Courts.*

The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior; and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

SECTION II. *Jurisdiction of the United States Courts.*

Clause 1. The judicial power shall extend to all cases in law and equity arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States; and between a State, or the citizens thereof, and foreign states, citizens or subjects.*

Clause 2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make.

Clause 3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

* Altered by the 11th Amendment.

SECTION III. *Treason.*

Clause 1. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Clause 2. The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.

ARTICLE IV.

SECTION I. *State Records.*

Full faith and credit shall be given in each State to the public acts, records and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SECTION II. *Privileges of Citizens, etc.*

Clause 1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

Clause 2. A person charged in any State with treason, felony or other crime, who shall flee from justice and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

Clause 3. No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SECTION III. *New States and Territories.*

Clause 1. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Congress.

Clause 2. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States or of any particular State.

SECTION IV. *Guarantee to the States.*

The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the Legislature, or of the executive (when the Legislature cannot be convened), against domestic violence.

ARTICLE V. POWER OF AMENDMENT.

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress; provided, that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first Article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI. PUBLIC DEBT, SUPREMACY OF THE CONSTITUTION,
OATH OF OFFICE, RELIGIOUS TEST.

Clause 1. All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the United States under this Constitution as under the Confederation.

Clause 2. This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

Clause 3. The senators and representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII. RATIFICATION OF THE CONSTITUTION.

The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in Convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth. In witness whereof, we have hereunto subscribed our names.

GEORGE WASHINGTON, *President and Deputy from Virginia.*

New Hampshire.—John Langdon, Nicholas Gilman.

Massachusetts.—Nathaniel Gorham, Rufus King.

Connecticut.—Wm. Samuel Johnson, Roger Sherman.

New York.—Alexander Hamilton.

New Jersey.—William Livingston, William Paterson, David Brearley, Jonathan Dayton.

Pennsylvania.—Benjamin Franklin, Robert Morris, Thomas Fitzsimons, James Wilson, Thomas Mifflin, George Clymer, Jared Ingersoll, Gouverneur Morris.

Delaware.—George Read, John Dickinson, Jacob Broom, Gunning Bedford, Jr., Richard Bassett.

Maryland.—James M'Henry, Daniel Carroll, Daniel of St. Tho. Jenifer.

Virginia.—John Blair, Jas. Madison, Jr.

North Carolina.—William Blount, Hugh Williamson, Richard Dobbs Spaight.

South Carolina.—John Rutledge, Charles Cotesworth Pinckney, Pierce Butler.

Georgia.—William Few, Abraham Baldwin.

Attest,

WILLIAM JACKSON, *Secretary.*

AMENDMENTS TO THE CONSTITUTION.

ARTICLE I. *Freedom of Religion, etc.*

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II. *Right to Bear Arms.*

A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III. *Quartering Soldiers on Citizens.*

No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV. *Search Warrants.*

The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V. *Trial for Crime, etc.*

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in active service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

ARTICLE VI. *Rights of Accused Persons.*

In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.

ARTICLE VII. *Suits at Common Law.*

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

ARTICLE VIII. *Excessive Bail.*

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

ARTICLE IX.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

The powers not granted to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

ARTICLE XI.

The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

ARTICLE XII. *Mode of Choosing the President and Vice-President.*

Clause 1. The electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President; and they shall make distinct lists of all persons voted for as President, and of all persons

voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed, to the seat of government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately by ballot the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.

Clause 2. The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.

Clause 3. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV.

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male members of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3. No person shall be a senator or representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each house, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SECTION 5. The Congress shall have power to enforce by appropriate legislation the provisions of this article.

ARTICLE XV.

SECTION 1. The right of the citizens of the United States to vote shall not be denied or abridged by the United States, or any State, on account of race, color, or previous condition of servitude.

SECTION 2. The Congress shall have power to enforce by appropriate legislation the provisions of this article.

THE FEDERAL CONSTITUTION OF THE SWISS REPUBLIC

OF THE 29TH OF MAY, 1874.

NOTE.—Translated by Colonel Ralph de Clairmont from the original French text, contained in the magnificent work of Dr. C. Hilty, "*Les Constitutions Fédérales de la Suisse*," published at the request of the Federal Council to commemorate the 600th anniversary of Swiss independence; Neuchâtel, 1891.

IN THE NAME OF ALMIGHTY GOD! THE SWISS CONFEDERATION,

Desirous of strengthening the alliance of the confederates, of maintaining and increasing the unity, power and honor of the Swiss Nation, has adopted the following Federal Constitution :

CHAPTER I. GENERAL DISPOSITIONS.

Article 1. The people of the twenty-two sovereign Cantons of Switzerland, united by the present alliance, namely : *Zürich, Bern, Lucerne, Uri, Schwyz, Unterwalden* (Upper and Lower), *Glarus, Zug, Fribourg, Soleure, Bâle* (city and country), *Schaffhausen, Appenzell* (the two Rhodes), *Saint Gall, Grisons, Argovie, Thurgovie, Tessin, Vaud, Valais, Neuchâtel* and *Geneva*, form in a body the SWISS CONFEDERATION.

Art. 2. The object of the Confederation is to insure the independence of the country against foreign States, to maintain tranquillity and order in the interior, to protect the liberty and the rights of the Confederates, and to further their common prosperity.

Art. 3. The Cantons are sovereign so far as their sovereignty is not limited by the Federal Constitution, and, as such, they exercise all the rights that are not delegated to the Federal power.

Art. 4. All Swiss are equal before the law. In Switzerland there are neither subjects, nor any privileges of place, birth, persons, or families.

Art. 5. The Confederation guarantees to the Cantons their territory, their sovereignty within the limits fixed by Art. 3, their Constitutions, the liberty and rights of the people, the constitutional rights of the citizens, as well as the rights and attributes conferred by the people on the authorities.

Art. 6. The Cantons are bound to demand from the Confederation the guarantee of their Constitutions. This guarantee is granted, provided :

(a.) That these Constitutions contain nothing contrary to the provisions of the Federal Constitution ;

(b.) That they insure the exercise of political rights in accordance with republican forms, representative or democratic ;

(c.) That they have been accepted by the people, and that they may be revised whenever the absolute majority of the citizens demand it.

Art. 7. All separate alliances and all treaties of a political nature between the Cantons are prohibited. On the other hand the Cantons have the right to conclude between themselves treaties and subjects of legislation, administration, or justice ; these, however, must be brought to the knowledge of the Federal authority, which is empowered to prevent their execution, if such treaties contain anything contrary to the Confederation, or to the rights of the other Cantons. In the other case the contracting Cantons are authorized to demand the coöperation of the Federal authorities for their execution.

Art. 8. The Confederation alone has the right to declare war and to conclude peace, as well as to form alliances and make treaties with foreign States, particularly excise (customs) and commercial treaties.

Art. 9. By way of exception the Cantons retain the right of making treaties with foreign States on matters concerning public economy, the relations of neighborhood and police ; these treaties, however, shall not contain anything contrary to the Confederation and the rights of other Cantons.

Art. 10. Official intercourse between the Cantons and foreign governments, or with their representatives, takes place by means of the Federal Council. However, the Cantons may correspond directly with the inferior authorities and officials of a foreign State, whenever the objects mentioned in the preceding article may require it.

Art. 11. No military capitulations shall be effected.

Art. 12. The members of the Federal authorities, the civil and military officials of the Confederation, and the Federal representatives, or commissioners, cannot receive any pensions, emoluments, titles, gifts or decorations from any foreign government.—If they are already the holders of pensions, titles or decorations, they must renounce the enjoyment of their pensions and the wearing of their titles and decorations during their term of office.—The inferior employees, however, may be authorized by the Federal Council to receive their pensions.—No decoration or title granted by a foreign government can be worn in the Federal Army.—All officers, non-commissioned officers and soldiers are forbidden to accept distinctions of this kind.

Art. 13. The Confederation has no right to maintain standing troops.—No Canton or half-Canton can have more than 300 men of permanent troops, unless authorized by the Federal power; the “gendarmérie” is not included in this number.

Art. 14. In case of any controversies arising between Cantons, the States will refrain from any forcible interference and from all armament. They shall submit to the decision to be given on such differences in conformity with the Federal prescriptions.

Art. 15. In case of sudden danger from abroad, the Government of the threatened Canton shall ask for the aid of the Confederated States and immediately notify the Federal authority, without thereby in any manner precluding the measures taken by the latter. The Cantons called on are bound to lend their assistance. The expenses are borne by the Confederation.

Art. 16. In case of internal troubles, or when the danger comes from another Canton, the Government of the threatened Canton shall immediately notify the Federal Council thereof, so that it may take the necessary measures within the limits of its powers (Article 102, §§ 3, 10 and 11), or convene the National Assembly. In cases of urgency the Government is authorized to demand the aid of other Confederated States, which are bound to give it, and the Federal Council shall be immediately notified.—When the Government is not able to invoke such aid, the competent Federal authority may intervene without any requisition, and it becomes its duty to do so whenever the disturbances jeopardize the safety of Switzerland.—In case of intervention the Federal authorities take care that the provisions contained in Article 5 are duly observed.—The expenses are borne by the Canton that has demanded such aid or has been the cause of the intervention, unless the Federal Assembly should decide otherwise in consideration of special circumstances.

Art. 17. In the cases mentioned in the two preceding articles each Canton is bound to grant free transit to the troops. These latter shall be immediately placed under Federal command.

Art. 18. All Swiss are liable to military service.—The military who whilst in the Federal service lose their lives, or whose health becomes permanently impaired, are entitled to succor from the Confederation for themselves or for their families, if they are in want. Each soldier receives his first arms and accoutrements and clothing free of charge. The arms remain in possession of the soldier under such conditions as may be fixed by Federal legislation. The Confederation shall make uniform regulations concerning the military exemption tax.

Art. 19. The Federal Army is composed of :

- (a.) the bodies of troops of the Cantons ;
- (b.) all Swiss who do not belong to these bodies, but are nevertheless liable to military service.

The right to dispose of the Army, as well as of the war material provided by law, belongs to the Confederation.—In case of danger the Confederation also has the right to dispose exclusively and directly of the men not incorporated in the Federal Army, and of all other military resources of the Cantons.—The Cantons dispose of the military forces of their territory, inasmuch as this right is not limited by the Constitution or the Federal laws.

Art. 20. All laws on the organization of the Army emanate from the Confederation. The execution of the military laws in the Cantons is confided to the cantonal authorities within the limits to be fixed by Federal legislation and under the supervision of the Confederation.—Military instruction, as a whole, appertains to the Confederation; the armament likewise.—The supplying of and keeping in order the clothing and equipment belong to the cantonal authorities; however, the expenses resulting therefrom shall be credited to the Cantons by the Confederation, in conformity with regulations to be established by Federal legislation.

Art. 21. Unless military considerations oppose it, the bodies shall be formed of troops of the same Canton.—The composition of these bodies of troops, the care of maintaining their strength, the nomination and promotion of the officers of these bodies, belong to the Cantons, subject to the general regulations, which shall be transmitted to them by the Confederation.

Art. 22. By means of an equitable compensation the Confederation has the right to make use or become the owner of the drilling grounds and buildings of a military character that may exist in the Cantons, as well as their dependencies.—The terms of such indemnity shall be regulated by Federal legislation.

Art. 23. The Confederation may order at its own expense, or by granting subsidies, such public works as may be of benefit to Switzerland or to a considerable portion of the country.—For this purpose she may order expropriations, granting a just compensation. The Federal legislation shall make the necessary laws on this subject. The Federal Assembly may forbid public buildings of a nature to jeopardize the military interests of the Confederation.

Art. 24. The Confederation has the right of high supervision over the dike and forest police in the high regions. She shall take part in the correcting and banking of torrents, as well as the replanting of trees in regions where they take their sources. She shall decree the necessary measures for insuring the keeping of such works and the preservation of the existing forests.

Art. 25. The Confederation has the right to make proper legislation for regulating the practice of fishing and hunting, especially with a view to preserving the large game in the mountains, and also for the protection of birds useful to agriculture and to the cultivation of the forests.

Art. 26. Legislation on the construction and management of railroads is within the sphere of the Confederation.

Art. 27. The Confederation has the right to create, in addition to the existing Polytechnic School, a Federal University and other higher educational establishments, or to subsidize similar institutions.—The Cantons provide for primary instruction, which shall be sufficient and be placed exclusively under the direction of the civil authority. It shall be obligatory and free in the public schools.—The public schools shall be open to the adherents of all confessions, and their liberty of conscience and creed shall not be interfered with in any manner.—The Confederation shall take the necessary measures against the Cantons that do not conform to these obligations.

Art. 28. All excise matters belong to the Confederation. It may collect import and export duties.

Art. 29. The collection of Federal revenues shall be regulated according to the following principles :

1st. Import Duties :

(a.) Articles necessary to the industry and agriculture of the country shall be taxed as low as possible.

(b.) The same with articles necessary to life.

(c.) Articles of luxury shall be subject to the highest taxes. Unless there be powerful impediments, these principles shall also be observed, when treaties of commerce are made with foreign countries.

2d. Export duties shall be as light as possible.

3d. Legislation on excise shall contain the necessary provisions to protect frontier and inland trade.

The foregoing provisions do not prevent the Confederation from taking temporarily exceptional measures under extraordinary circumstances.

Art. 30. The proceeds of revenue belong to the Confederation.—The indemnities paid up to date to the Cantons for the redemption of excises, road and bridge tolls, customs-duties and other similar emoluments, are abolished.—The Cantons of Uri, Grisons, Tessin and Valais receive, by way of exception and on account of their international Alpine roads, an annual indemnity, the amounts of which, taking into account all circumstances, are fixed as follows : Uri, 80,000 francs ; Grisons, 200,000 francs ; Tessin, 200,000 francs ; Valais, 50,000 francs.—The Cantons of Uri and of Tessin shall receive in addition for the removal of the snow on the Saint Gotthard road an annual indemnity of 40,000 francs, as long as this road shall not be replaced by a railroad.

Art. 31. Liberty of commerce and of industry is guaranteed throughout the Confederation.—The following are reserved :

(a.) The sale of salt and of gunpowder for war purposes, the Federal excises, the import duties on wines and other spirituous liquors, as well as the other taxes of consumption formally recognized by the Confederation, as per Article 32.

(b.) The manufacture and sale of distilled liquors in conformity with Article 32 *bis*.

(c.) Everything concerning the inns and the retail trade in spirituous liquors, in so much as the Cantons have the right to subject, by means of legislation, the exercise of the business of innkeeper and the trade in spirituous liquors to such restrictions as may be required for the public welfare.

(d.) The measures of the sanitary police against epidemics and epizootics.

(e.) The measures relating to the exercise of mercantile and industrial professions, the taxes pertaining thereto, and the road police. These measures shall not contain anything contrary to the principles of liberty of commerce and industry.

Art. 32. The Cantons are authorized to collect the import duties on wines and other spirituous liquors provided in Article 31, letter (a), however, under the following restrictions:

(a.) The collection of these duties shall in no wise impede the transit; it shall impede commerce as little as possible, which shall not be subject to any other tax.

(b.) If the articles imported for consumption are re-exported from the Canton, the import duties shall be refunded without causing any other charge.

(c.) Products of Swiss origin shall be taxed less than those imported from abroad.

(d.) The present import duties on wines and other spirituous liquors of Swiss origin shall not be raised by the Cantons in which they now exist.

(e.) The laws and ordinances of the Cantons on the collection of import duties are submitted for the approval of the Federal authorities before their execution, so as to enable them, if necessary, to cause the foregoing provisions to be observed.

All import duties at present collected by the Cantons, as well as similar taxes collected by the communities, shall be abolished without any indemnity at the expiration of the year 1890.

Art. 32 bis. The Confederation has the right to make, by legislation, provisions for the manufacture and sale of distilled liquors. However, these provisions shall not tax products that are exported, or that have gone through a process rendering them unfit to serve as drink. The distillation of wine, stone or seed fruits and their refuse, of gentian root, juniper berries and other similar matters, is excepted from the Federal prescriptions concerning manufacture and taxes.—After the abolition of import duties on the spirituous liquors mentioned in Article 32 of the Federal Constitution, the commerce of undistilled alcoholic liquors shall not be subjected any longer by the Cantons

to any special tax, nor to any other restrictions but such as are necessary to protect the consumer against spurious liquors or those injurious to health. As to the innkeepers' trade and the sale at retail of quantities less than two *litres*, the provisions contained in Article 31 remain in force.—The net receipts derived from the tax on the sale of distilled beverages remain the property of the Cantons in which such taxes are collected.—The net receipts of the Confederation resulting from home distilling and the corresponding increase in the import duties on foreign distilled liquors, shall be distributed among all the Cantons in proportion to their actual population, as fixed by the most recent Federal census. The Cantons are bound to use at least ten per cent of the receipts to combat alcoholism in its causes and effects.

Art. 33. The Cantons may require proofs of competency on the part of those who want to practice liberal professions.—The Federal legislation shall provide that these latter may obtain the proper testimonials of capacity available in the whole Confederation.

Art. 34. The Confederation has the right to make uniform laws for the work of children in factories, on the length of the working time that may be required there from adults, and on the protection to be extended to the workingmen against the exercise of unhealthy and dangerous industries.—The operations of emigration and insurance agencies not instituted by the Government are subject to Federal control and legislation.

Art. 34 bis. The Confederation shall introduce, by legislative process, insurance in case of accidents and illness, with due regard to the existing relief funds. It may decree a general obligatory participation in such insurance, or only for certain classes of citizens.

Art. 35. It is forbidden to open gambling houses. Those at present existing shall be closed on the 31st of December, 1877.—The concessions that may have been granted or renewed since the commencement of the year 1871, are hereby declared void.—The Confederation may also take the necessary measures relating to lotteries.

Art. 36. The posts and telegraphs throughout Switzerland are under Federal control.—The proceeds of the posts and telegraphs belong to the Federal Treasury.—The rates shall be fixed according to the same principles and as equitable as possible in all parts of Switzerland.—The inviolability of the secrecy of letters and telegrams is guaranteed.

Art. 37. The Confederation exercises supreme control over such roads and bridges as it is interested in maintaining.—The sums due to the Cantons designated in Article 30, on account of their international Alpine roads, shall be retained by the Federal authority if these roads are not properly kept in order by them.

Art. 38. The Confederation exercises all the rights pertaining to the coinage of money. It has the sole right of coinage.—It fixes the

monetary system and may make laws, if necessary, for the rate of exchange of foreign coins.

Art. 39. The Confederation has the right to decree by legislative process general regulations on the issue and redemption of bank-notes.—It shall not, however, create any monopoly for the issue of bank-notes, nor decree the obligatory course of such notes.

Art. 40. The Confederation shall determine the system of weights and measures.—The Cantons shall execute the laws relating to this subject under the supervision of the Confederation.

Art. 41. The manufacture and sale of war gunpowder in the whole of Switzerland belongs exclusively to the Confederation.—Mining compounds not suitable for shooting are not comprised in the sale of powder.

Art. 42. The expenditures of the Confederation are covered :

- (a.) By the product of the Federal property ;
- (b.) By the product of Federal duties collected on the Swiss frontier ;
- (c.) By the product of the posts and telegraphs ;
- (d.) By the product of the sale of powder ;
- (e.) By one-half of the gross product of the military exemption tax collected by the Cantons ;
- (f.) By the contributions of the Cantons, to be regulated by Federal legislation, with particular reference to their wealth and taxable resources.

Art. 43. Every citizen of a Canton is a Swiss citizen.—He may, as such, take part at the place of his residence in all elections and voting on Federal matters, after having duly qualified as an elector.—Nobody can exercise political rights in more than one Canton.—A Swiss, established in the place of his residence, enjoys all the rights of the citizens of the Canton, and with them all the rights of the members of the community. The participation in the property of the citizens and corporations and the right to vote in exclusively communal affairs, are excepted from these rights, unless otherwise provided by the Cantonal legislation.—In Cantonal and communal affairs he becomes an elector after an establishment of three months. The Cantonal laws on the establishment and the electoral rights held by the established citizens in communal matters are submitted to the Federal Council for its sanction.

Art. 44. No Canton can remove from its territory any of its dependents, nor deprive him of his rights of origin or residence.—The Federal legislation shall fix the conditions under which foreigners may be naturalized, and those under which a Swiss may renounce his nationality in order to obtain naturalization in a foreign country.

Art. 45. Any Swiss citizen has the right to settle in any part of the Swiss territory by producing certificate of birth, or a similar document. By

way of exception, the right of settlement may be refused to or withdrawn from those who by virtue of a penal sentence have been deprived of their civic rights.—Settlement may also be withdrawn from those who have been repeatedly punished for serious offenses, as well as from those who become a permanent charge on public charity, and to whom their community or the Canton of their origin refuses sufficient aid after having been officially requested to render it.—In the Cantons in which councilary assistance is rendered, permission to settle may be subjected, in the case of citizens of the Canton, to the condition that they be able to work and that they have not become permanently objects of public charity in the place of their former residence in the Canton of their origin.—All removals on account of poverty must be ratified by the Government of the Canton where they reside and be communicated previously to the Government of the Canton of origin.—The Canton in which a Swiss may establish his residence cannot require from him any bonds, nor make any special charge for such establishment. In like manner the communities cannot levy on the Swiss established on their territory any other contributions than those levied on their own citizens.—A Federal law shall fix the maximum of the official fees for obtaining a permit of residence.

Art. 46. Persons established in Switzerland are subject, as a rule, to the jurisdiction and legislation of the place of their residence in all matters regarding the relations of civil rights.—Federal legislation shall make the necessary provisions with the view of applying this principle and to prevent a citizen from being taxed double.

Art. 47. A Federal law shall determine the difference between establishment and sojourn, as well as the rules to which sojourning Swiss shall be liable, as to their political and civil rights.

Art. 48. A Federal law shall enact the necessary measures for regulating the expenses of illness and of burial of the indigent citizens of a Canton, who have fallen ill or died in another Canton.

Art. 49. Liberty of conscience and creed is inviolable.—No one can be compelled to form part of any religious association, to follow any religious teachings, to perform any religious act, nor to incur any penalty, of whatever nature it may be, on account of religious opinions.—A person who exercises paternal or tutelary authority has the right to guide the religious education of the children up to the age of sixteen completed years.—The exercise of civil or political rights cannot be restricted by any provisions or conditions of any ecclesiastical or religious nature of any kind whatever.

No one can, on account of religious opinions, shirk the fulfillment of a civic duty.—No one is obliged to pay taxes, the product of which is specially dedicated to defray the particular expenses of worship of a religious community he does not belong to. The final execution of this principle shall be left to Federal legislation.

Art. 50. The free exercise of religious creeds is guaranteed within the limits compatible with public order and good morals.—The Cantons and the Confederation may take the necessary measures for preserving public peace and order between the members of the different religious communities, as well as against the encroachments of the ecclesiastical authorities and the rights of the citizens and the State. Controversies in public and private law, which might arise by the creation of religious communities, or by a scission in existing religious communities, may be taken before the competent Federal authorities by way of recourse.—No bishopric shall be erected on Swiss territory without the approval of the Confederation.

Art. 51. The order of the Jesuits and the societies affiliated therewith cannot be received in any part of Switzerland, and all action in Church and School is forbidden to their members. This interdiction may also be extended, by means of Federal decree, to any other religious orders whose actions are dangerous to the State or disturb the peace between sects.

Art. 52. It is forbidden to found new convents or religious orders, and to re-establish those that have been suppressed.

Art. 53. The civil status and the keeping of the corresponding registers belong to the civil authorities. Federal legislation shall make the necessary final laws on this subject.—The right to dispose of places of burial belongs to the civil authority. It shall take care that all deceased persons receive a decent burial.

Art. 54. The right of marriage is placed under the protection of the Confederation.—No impediment to marriage shall be founded on sectarian grounds, on the poverty of either of the contracting parties, on their conduct, or on any other police motive of any sort.—A marriage contracted in a Canton, or abroad, in accordance with the existing laws there, shall be recognized as valid in the whole Confederation.—The wife acquires by marriage the right of residence and citizenship of her husband.—The children born before marriage become legitimate by the subsequent marriage of their parents.—No admission fee, nor any similar tax, can be levied on either husband or wife.

Art. 55. Liberty of the press is guaranteed.—Nevertheless the Cantonal laws shall make the necessary provisions for the repression of abuses; such laws shall be submitted to the Federal Council for approval.—The Confederation may also establish penalties for the repression of abuses aimed at itself or at its authorities.

Art. 56. The citizens have the right to form associations, provided that there be nothing illicit or dangerous to the State in the object of such associations, or in the means they employ. Cantonal laws shall provide the necessary measures for the suppression of such abuses.

Art. 57. The right of petition is guaranteed.

Art. 58. Nobody can be deprived of his natural judge. Therefore no extraordinary tribunals can be established.—Ecclesiastical jurisdiction is abolished.

Art. 59. For personal reclamations the solvent debtor residing in Switzerland must be sued before the judge of his residence ; his property therefore cannot be seized, or confiscated, outside of the Canton in which he resides, to satisfy personal reclamations.—With regard to foreigners the provisions of international treaties are to be observed.—Bodily restraint is abolished.

Art. 60. All the Cantons are bound to treat the citizens of the other Confederated States as those of their own State in matters of legislation and in everything concerning judicial proceedings.

Art. 61. Definite civil judgments rendered in one Canton can be executed anywhere in Switzerland.

Art. 62. Foreign export duties are abolished in the interior of Switzerland, as well as the right of withdrawal of the citizens of one Canton against those of other Confederated States.

Art. 63. Foreign export duties are abolished, as regards foreign countries, reciprocity being observed.

Art. 64. Legislation : On civil capacity ; on all matters of law relating to commerce and to transactions in movable property (law of obligations including commercial and exchange laws) ; on literary and artistic copyright ; on the protection of new designs and models, as well as inventions represented by models and applicable to industry ; on prosecution for debt and insolvency :—all belongs to the Confederation. The administration of justice belongs to the Cantons, reserving the powers of the Federal Tribunal.

Art. 65. No death sentence can be pronounced on account of political offenses.—Corporal punishment is abolished.

Art. 66. Federal legislation determines the limits within which a Swiss citizen can be deprived of his political rights.

Art. 67. Federal legislation shall take action on the extradition of the accused from one Canton to another Canton ; extradition, however, cannot be made obligatory for political and press offenses.

Art. 68. The measures to be taken for incorporating persons without any country and for preventing new cases of this nature, are regulated by Federal law.

Art. 69. The Confederation shall enact the necessary laws against epidemics and epizootics presenting general danger.

Art. 70. The Confederation has the right to banish from its territory such foreigners as endanger the internal and external security of Switzerland.

CHAPTER II.

FEDERAL AUTHORITIES

I. FEDERAL ASSEMBLY.

Art. 71. Reserving the rights of the people and of the Cantons (Articles 89 and 121), the supreme authority of the Confederation is exercised by the *Federal Assembly*, consisting of two sections, or councils, to wit :

- (a.) The National Council.
- (b.) The Council of States.

Art. 72. The National Council is composed of deputies from the Swiss people, elected at the rate of one member for 20,000 souls of the entire population. Fractions over 10,000 souls are counted as 20,000.—Each Canton, and in the divided Cantons, each half-Canton, elects at least one deputy.

Art. 73. The elections for the National Council are direct. They take place in Federal Electoral districts, which, however, cannot be formed of parts of different Cantons.

Art. 74. Every Swiss of the age of twenty completed years and who moreover is not debarred from the rights of an active citizen by the legislation of the Canton in which he resides, has the right to take part in the elections and voting. Federal legislation, however, may regulate the exercise of this right in a uniform manner.

Art. 75. Every lay Swiss citizen entitled to vote is eligible as a member of the National Council.

Art. 76. The National Council is elected for three years, and renewed every time entirely.

Art. 77. The deputies to the Council of States, the members of the Federal Council and the functionaries named by the Council, cannot at the same time be members of the National Council.

Art. 78. The National Council chooses from its number for each ordinary and extraordinary session a President and a Vice-President.—The member who has been elected President during an ordinary session cannot at the following ordinary session assume that office, nor that of Vice-President.—The same member cannot be Vice-President during two ordinary successive sessions.—When the votes are equally divided, the President decides ; at elections he votes like the other members.

Art. 79. The members of the National Council are compensated from the National Treasury.

Art. 80. The Council of States is composed of forty-four deputies from the Cantons. Each Canton elects two deputies ; in the divided Cantons each half-Canton elects one deputy.

Art. 81. The members of the National Council and those of the Federal Council cannot be deputies in the Council of States.

Art. 82. The Council of States elects from its midst, for each ordinary or extraordinary session, a President and Vice-President. Neither the President nor the Vice-President can be elected from the deputies of the Canton in which the President for the ordinary session next preceding has been elected.—The deputies from the same Canton cannot assume the office of Vice-President during two ordinary consecutive sessions.—When the votes are equally divided, the President decides ; at elections he votes like the other members.

Art. 83. The deputies to the Council of States are compensated by the Cantons.

Art. 84. The National Council and the Council of States deliberate on all matters which the present Constitution places under the control of the Confederation, and which have not been assigned to any other Federal authority.

Art. 85. The matters under the control of both Councils are especially the following :

1. The laws on the organization and mode of election of the Federal authorities ;
2. The laws and decrees on all matters placed by the Constitution under Federal control ;
3. The compensation and emoluments of the members of the authorities of the Confederation and the Federal Chancery ; the creation of permanent Federal offices and the fixing of salaries ;
4. The election of the Federal Council, the Federal Tribunal and the Chancellor, as well as the General-in-Chief of the Federal Army.—Federal legislation may assign to the Federal Assembly other rights of election or of confirmation ;
5. Alliances and treaties with foreign States, as also the sanction of treaties of the Cantons between themselves or with foreign States ; the treaties of the Cantons, however, are not brought before the Federal Assembly, unless the Federal Council or another Canton raises objections thereto ;
6. Measures for external security and for the maintenance of the independence and neutrality of Switzerland ; declarations of war and of peace ;
7. The guarantee of the Constitution and of the territory of the Cantons ; intervention in consequence of this guarantee ; measures for the internal security of Switzerland ; for the maintenance of peace and order, amnesty and the right of pardon ;
8. Measures to enforce respect for the Federal Constitution and to insure the guarantee of the cantonal Constitutions, as well as such measures as aim to enforce the fulfillment of Federal duties ;
9. The right to dispose of the Federal army ;
10. The settlement of the annual budget, the audit of the Government accounts, and decrees authorizing loans :

11. The high supervision of the Federal administration and justice;
12. The Appeals against the decisions of the Federal Council relating to administrative controversies;
13. The conflicts of jurisdiction between Federal authorities;
14. The revision of the Federal Constitution.

Art. 86. The two Councils assemble once a year in ordinary session on the day fixed by the rules.—They are convened in extraordinary session by the Federal Council, or upon demand of one-fourth of the members of the National Council, or upon that of five Cantons.

Art. 87. A council cannot transact any business unless the deputies present compose the absolute majority of the total number of its members.

Art. 88. In the National Council and in the Council of States the resolutions are passed by an absolute majority vote of those who vote.

Art. 89. Federal laws, decrees and resolutions can only be passed by the concurrence of both Councils.—Federal laws are submitted to the people for their adoption or rejection if 30,000 active citizens or eight Cantons demand it. It shall be the same with Federal decisions of a general bearing and which are not of an urgent character.

Art. 90. Federal legislation shall determine the forms and methods to be observed for the popular voting.

Art. 91. The members of both Councils vote without any instructions.

Art. 92. Each Council deliberates separately. However, in the case of the elections mentioned in Article 85, § 4, when the right of pardon is to be exercised or a conflict of jurisdiction is to be decided (Article 85, § 13), the two Councils unite to deliberate in common under the direction of the President of the National Council, and a majority of the voting members of both Councils decide.

Art. 93. Either of the two Councils can originate bills, and so can any member. The Cantons may exercise the same right by correspondence.

Art. 94. As a rule the sessions of the Councils are public.

II. FEDERAL COUNCIL.

Art. 95. The supreme ruling and executive authority of the Confederation is exercised by a Federal Council composed of seven members.

Art. 96. The members of the Federal Council are appointed for three years by the United Councils, and chosen among the Swiss citizens eligible to the National Council. However, one member only from the same Canton can be appointed to the Federal Council.—The Federal Council is entirely renewed after each renewal of the National Council.—

Vacancies of members during the term of three years are filled at the first session of the Federal Assembly for the remainder of their term of office.

Art. 97. The members of the Federal Council cannot hold any other employment during their term of office, either in the service of the Confederation or in a Canton, nor can they follow any other calling, or exercise any profession.

Art. 98. The Federal Council is presided over by the President of the Confederation. He has a Vice-President.—The President of the Confederation and the Vice-President of the Federal Council are elected for one year by the Federal Assembly among the members of the Council.—The outgoing President cannot be elected President or Vice-President for the ensuing year.—The same member cannot hold the office of Vice-President during two consecutive years.

Art. 99. The President of the Confederation and the other members of the Federal Council receive an annual salary from the Federal Treasury.

Art. 100. The Federal Council cannot transact any business unless there be at least four members present.

Art. 101. The members of the Federal Council have a consulting vote in both sections of the Federal Assembly, as well as the right to make motions on the subjects in discussion.

Art. 102. The powers and duties of the Federal Council within the limits of the present Constitution are especially the following, viz.:

1. It conducts Federal affairs according to the laws and enactments of the Confederation.

2. It sees that the Constitution, laws and decrees of the Confederation are duly observed, as well as the provisions of the Federal compacts; it takes by its own initiative, or upon complaint, the necessary measures to enforce obedience to them, when the recourse is not of the number of those that properly come before the Federal Tribunal, according to Article 113.

3. It sees to the guaranty of the Cantonal Constitutions.

4. It may introduce motions and resolutions in the Federal Assembly, and gives its opinion on propositions laid before it by the Councils or by the Cantons.

5. It provides for the execution of the laws and resolutions of the Confederation and for that of the judgments of the Federal Tribunal, as well as the compromises or awards of arbitration on differences between Cantons.

6. It makes all appointments not assigned to the Federal Assembly, or to the Federal Tribunal, or to any other authority.

7. It examines the treaties of the Cantons between themselves and with foreign countries, and approves them, if correct (Article 85, § 5).

8. It watches over the interests of the Confederation abroad, especially over the observance of her international relations, and it has general charge of foreign relations.

9. It supervises the external security of Switzerland, the preservation of her independence and her neutrality.

10. It supervises the internal security of the Confederation, the preservation of peace and order.

11. In case of urgency, and when the Federal Assembly is not in session, the Federal Council is authorized to levy the necessary troops and to employ them, provided, however, that the Councils shall be immediately convened if the number of troops exceeds two thousand men, or if they remain under arms more than three weeks.

12. It has charge of everything relating to Federal military matters, and of all other branches of the administration belonging to the Confederation.

13. It examines the laws and ordinances of the Cantons which are to be submitted to its approval; it exercises supervision over such branches of the Cantonal administration as are placed under its control.

14. It administers the finances of the Confederation, forms the budget and renders account of receipts and expenditures.

15. It watches over the conduct of all functionaries and officials of the Federal administration.

16. It renders account of its administration to the Federal Assembly at each ordinary session, presents a report to it on the condition of the Confederation, in the interior as well as abroad, and calls to its attention such measures as may, in its opinion, be useful to the increase of general prosperity.—It also makes special reports whenever the Federal Assembly, or one of the sections, demands it.

Art. 103. The business of the Federal Council is distributed by departments between its members. This distribution is only intended to facilitate the examination and transaction of business; decisions emanate from the Federal Council as authority.

Art. 104. The Federal Council and its departments are authorized to summon experts for special purposes.

III. FEDERAL CHANCERY.

Art. 105. A Federal Chancery, at the head of which is the Chancellor of the Confederation, has charge of the affairs of the Federal Assembly and that of the Federal Council.—The Chancellor is elected by the Federal Assembly for the term of three years, at the same time as the Federal Council.—The Chancery is under the special supervision of the Federal Council.—A Federal law shall determine everything relating to the organization of the Chancery.

IV. FEDERAL TRIBUNAL.

Art. 106. There is a Federal Tribunal for the administration of justice in Federal affairs. There is also a Jury for penal affairs (Article 112).

Art. 107. The members and substitutes of the Federal Tribunal are elected by the Federal Assembly, which shall take care that the three national languages be represented in it.—The law will determine the organization of the Federal Tribunal and its sections, the number of members and their substitutes, the duration of office and their salaries.

Art. 108. Every citizen eligible to the National Council can be appointed to the Federal Tribunal.—The members of the Federal Assembly and of the Federal Council and the officials appointed by these authorities, cannot at the same time be members of the Federal Tribunal.—The members of the Federal Tribunal cannot, during their term of service, hold any office, either in the service of the Confederation or in a Canton, nor can they follow any other calling or exercise any profession.

Art. 109. The Federal Tribunal organizes its Chancery and appoints its officials.

Art. 110. The Federal Tribunal has jurisdiction over disputes in civil law :

1. Between the Confederation and the Cantons ;
2. Between the Confederation on one part and of corporations or individuals on the other part, when these corporations or individuals are plaintiffs, and when the litigation attains a degree of importance to be fixed by Federal legislation ;
3. Between Cantons ;
4. Between Cantons on one part and corporations or individuals on the other part, when one of the parties demands it and when the litigation attains a degree of importance to be fixed by Federal legislation.

It also has jurisdiction over disputes regarding persons without a country (" *heimatlos* "), and over the disputes that may arise between the communities of the different Cantons concerning the right of domicile.

Art. 111. The Federal Tribunal is bound to give judgment in other cases, when the parties agree to appeal to it and when the object in litigation attains a degree of importance to be determined by Federal legislation.

Art. 112. The Federal Tribunal, assisted by the jury, which finds on facts, has jurisdiction in penal matters over :

1. Cases of high treason against the Confederation, of revolt, or violence against the Federal authorities ;
2. Crimes and trespasses against the laws of nations ;

3. Political crimes and offenses, which are the cause, or result, of troubles, by which armed Federal intervention has been brought about ;

4. Charges preferred against officials appointed by any Federal authority, when such authority brings them before the Federal Tribunal.

Art. 113. The Tribunal, moreover, has jurisdiction over :

1. Conflicts of jurisdiction between Federal authorities on one part and the Cantonal authorities on the other part ;

2. Disputes between Cantons, when these conflicts are within the domain of public law ;

3. Complaints for violation of the constitutional rights of citizens, and complaints of individuals for violation of compacts or treaties.

Exception is made for administrative conflicts, which shall be settled by Federal legislation.

In all the foregoing cases the Federal Tribunal shall apply the laws enacted by the Federal Assembly and the resolutions of that Assembly which have a general bearing. It shall also conform to the treaties which shall have been ratified by the Federal Assembly.

Art. 114. In addition to the cases mentioned in Articles 110, 112 and 113, the Federal legislation may place other matters under the jurisdiction of the Federal Tribunal ; it may, especially, give to that Tribunal powers for the purpose of insuring the uniform application of the laws provided in Article 64.

VI. SUNDRY PROVISIONS.

Art. 115. All matters concerning the seat of the authorities of the Confederation are subject to Federal legislation.

Art. 116. The three principal languages spoken in Switzerland: German, French and Italian, are national languages of the Confederation.

Art. 117. The officials of the Confederation are responsible for their conduct in office. A Federal law shall determine the exact nature of such responsibility.

CHAPTER III.

REVISION OF THE FEDERAL CONSTITUTION.

Art. 118. The Federal Constitution can be revised at any time.

Art. 119. The revision takes place in the manner to be laid down by Federal legislation.

Art. 120. When a section of the Federal Assembly decrees the revision of the Federal Constitution and the other section does not consent thereto, or when fifty thousand Swiss citizens entitled to vote call for a revision, the question of ascertaining whether the Federal Constitution shall be revised is in either case submitted to the votes of the Swiss people by ayes and noes. If in either of these cases the majority of the citizens taking part in the vote pronounces in the affirmative, the two Councils shall be reflected to work on the revision.

Art. 121. The revised Federal Constitution goes into force when it shall have been accepted by the majority of the Swiss citizens taking part in the vote, and by a majority of States.—In order to establish the majority of States, the vote of a half-Canton is counted as half a vote.—The result of the popular vote in each Canton is considered as the vote of the State.

TEMPORARY PROVISIONS.

Article 1. The proceeds of the posts and import duties shall be distributed on the present basis, up to the time when the Confederation takes definite charge of the military expenses borne by the Cantons up to this date.—Federal legislation shall provide, moreover, that the losses which may be caused by the whole of the modifications resulting from Articles 20, 30, 36, 2d line, and 42 (*e*), to the fisc of certain Cantons, shall fall to them but gradually, and shall not attain its sum total until after a transition period of several years.—The Cantons which, at the time Article 20 of the Constitution enters into force, shall not have fulfilled the military obligations imposed upon them by the old Constitution and Federal laws, shall be bound to carry them out at their own expense.

Art. 2. The provisions of the Federal laws, of the Compacts and Constitutions, or Cantonal laws contrary to the present Constitution, cease to be in force through the fact of the adoption of the latter, or of the promulgation of the laws provided in it.

Art. 3. New laws concerning the organization and jurisdiction of the Federal Tribunal do not go into force until after the promulgation of the respective Federal laws.

Art. 4. A delay of five years is granted to the Cantons to introduce free primary public instruction (Article 27).

Art. 5. Persons who exercise a liberal profession and who, before the promulgation of the Federal law provided in Article 33, have obtained a certificate of competency from a Canton, or from a joint authority representing several Cantons, may exercise such profession throughout the territory of the Confederation.

Art. 6. If the Federal law provided in Article 32 *bis* is put in force before the expiration of the year 1890, the import duties collected by the Cantons on spirituous liquors, in conformity with Article 32, shall be abolished upon said law going into force.—If in this case the shares coming to these Cantons or communities, from the sum to be distributed, are not sufficient to compensate for the abolished duties, computed after the annual average net proceeds of these duties during the years from 1880 to 1884 inclusive, the deficiency of the Cantons or communes thus losing shall be covered, up to the end of 1890, from the sum that would fall to the other Cantons, according to the number of their population, and only after this deduction shall the remainder be distributed among these at the pro rata of their population.—Federal legislation shall, moreover, provide, that the loss which may be caused by the application of the present provision to the fisc of the Cantons or communities interested, shall fall upon them by degrees only, and shall not attain its total amount until after a period of transition up to 1895, and the sums to be allotted for that purpose shall be taken from the net receipts mentioned in Article 32 *bis*, 4th sentence.



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